

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

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Washington, Friday, April 24, 1953

## TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10447

### INSPECTION OF RETURNS BY SENATE COMMITTEE ON THE JUDICIARY

By virtue of the authority vested in me by sections 55 (a) 508, 603, 729 (a) and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008, 55 Stat. 722; 26 U. S. C. 55 (a) 508, 603, 729 (a) and 1204) it is hereby ordered that any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1941 to 1952, inclusive, shall be open to inspection by the Senate Committee on the Judiciary or any duly authorized subcommittee thereof for the purpose of carrying out the provisions of Senate Resolution 245 (82d Congress, 2d Session) agreed to March 24, 1952, as extended by Senate Resolution 47 (83d Congress, 1st Session) agreed to January 30, 1953, relating to an examination and review of the administration of the Trading with the Enemy Act, subject to the conditions stated in the Treasury decision<sup>1</sup> relating to the inspection of such returns by that Committee, approved by me this date.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
April 22, 1953.

[F. R. Doc. 53-3674; Filed, Apr. 22, 1953;  
3:39 p. m.]

## EXECUTIVE ORDER 10448

### ESTABLISHING THE NATIONAL DEFENSE SERVICE MEDAL

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the armed forces of the United States, it is hereby ordered as follows:

1. There is hereby established the National Defense Service Medal, with suitable appurtenances, for award, under such regulations as the Secretaries of the Army, Navy and Air Force and the Secretary of the Treasury may severally prescribe, and, subject to the provisions of this order, to members of the armed forces of the United States who shall

have served during any period between June 27, 1950, and a terminal date to be fixed by the Secretary of Defense.

2. The regulations prescribed by the Secretaries of the Army, Navy, and Air Force pursuant to paragraph 1 hereof shall be uniform so far as practicable and shall be approved by the Secretary of Defense. The regulations prescribed by the Secretary of the Treasury pursuant to paragraph 1 hereof shall, so far as practicable, be uniform with the regulations prescribed for the other armed forces.

3. No person shall be entitled to more than one award of the National Defense Service Medal.

4. The National Defense Service Medal may be awarded posthumously.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
April 22, 1953.

[F. R. Doc. 53-3673; Filed, Apr. 22, 1953;  
3:39 p. m.]

## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade  
[6th Gen. Rev. of Export Regs., Amdt.  
P. L. 37<sup>1</sup>]

### PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

#### MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. In *General Notes to Appendix A*, the note following paragraph (e) *Commodity processing codes* is amended to read as follows:

NOTE: For each entry there is a four-letter code (e. g., GIEQ, STEE, TRAN), known as the processing code, which must be shown on the application. In many cases this code is

<sup>1</sup> This amendment was published in Current Export Bulletin No. 639, dated April 9, 1953.

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<sup>1</sup> See Title 26, Chapter I, Part 458, *infra*.



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## CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 7: Parts 1-209 (\$1.75)  
Title 19 (\$0.45)  
Title 39 (\$1.00)

Previously announced: Title 3 (\$1.75); Titles 4-5 (\$0.55); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 17 (\$0.35); Title 18 (\$0.35); Title 20 (\$0.60); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 170 to 182 (\$0.65), Parts 183 to 299 (\$1.75); Titles 28-29 (\$1.00); Titles 30-31 (\$0.65); Titles 40-42 (\$0.45); Title 49: Parts 1 to 70 (\$0.50), Parts 71 to 90 (\$0.45), Parts 91 to 164 (\$0.40)

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followed by a number, which is known as the related commodity group number. This number, which also must be shown on the application, indicates that all entries having the same processing code and number may be entered on a single application for export license. (For complete information on the inclusion of related commodities on a single application, see § 372.2 (c) of this subchapter.)

This part of the amendment shall become effective as of April 9, 1953.

2. The dollar value limit in the column headed "GLV dollar-value limit" set forth opposite the commodities listed below is amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required
619152	Metal powders: Magnesium			100	
604547	Magnesium: Metal and alloys in crude form, and scrap.			100	
604549	Semifabricated forms, n. e. c. (specify by name).			100	
619153	Metal powders: Zinc dust (includes all zinc powder) (specify zinc content). <sup>1</sup>	Lb.	NONF 2	500	RO

<sup>1</sup> The above entry is substituted for the present entry on the Positive List under Schedule B No. 619153 and the fifth entry under Schedule B No. 619152. The effect of this revision is to include all zinc powder under Schedule B No. 619153.

This part of the amendment shall become effective as of 12:01 a. m., April 9, 1953.

4. The following commodities are made subject to the dollar-limit (DL) restrictions (see § 374.2 (e)). Accordingly, the letter "B" is inserted in the column headed "Commodity Lists" opposite those conditions:

Dept. of Commerce Schedule B No.	Commodity
617303	Tool bit blanks and dies, and inserts for tool and rock drill bits: Tungsten carbide die inserts (specify tungsten content).
618265	Basic hardware: Bolts, screws, nuts, rivets, and washers, n. e. c., not specially fabricated for particular machines or equipment (specify by name): Aluminum explosive rivets.
619057	Wire products, n. e. c. (report wire nails, staples, and spikes in 618267-618273): Wire cloth: Other wire cloth: Nickel woven wire mesh composed of wire containing 95 percent or more nickel.
640109	Copper ore and concentrates (copper content).
642300	Copper semifabricated forms: rough forgings and castings.
642900	Other copper semifabricated forms, n. e. c. (specify by name).
647213	Brass and bronze castings and forgings, rough and unfinished.
656591	Tin alloy scrap (new and old) (including tin-base babbitt metal dress and scrap and tin-base antifriction metal dress and scrap).
705560	Electric mining and industrial locomotives, underground type.
705560	Electric mining and industrial locomotives, surface type.
707697	Radio and television apparatus: Radio and television broadcast station transmitting equipment, and specially fabricated parts and accessories, n. e. c. Radio communication equipment, n. e. c. (report radar equipment in 703410; broadcast equipment in 707697; automobile and home-type radio receivers in 707695-707719): Shipborne (maritime mobile) transmitters, receivers, and transceivers (transmitter-receivers), and specially fabricated parts and accessories, n. e. c., for transmitters and transceivers. Land-type radio communication transmitters, receivers, and transceivers (transmitter-receivers), and specially fabricated parts and accessories, n. e. c., for transmitters and transceivers. Radio beacon (telem) transmitters, and specially fabricated parts and accessories, n. e. c. Radio and television receiving type tubes (specify by name) (report television picture receiving tubes in 707815).
707810	Radio and television transmitting type tubes (specify by name) (report television camera tubes in 707812).
707997	Diathermy tubes.
707997	Other electronic tubes, n. e. c., commercial and industrial (including all rectifier tubes).
711510	Steam engines and turbines, n. e. c., and parts, n. e. c.: Combustion gas turbine engines, except aircraft.
711509	Parts, n. e. c., specially fabricated for combustion gas turbine engines, except aircraft (specify by name).
703100	Alloy steel ball bearings, and specially fabricated parts except balls.
703200	Carbon steel ball bearings, and specially fabricated parts except balls.
703200	Alloy steel roller bearings, and specially fabricated parts except rollers.
703310	Carbon steel roller bearings, and specially fabricated parts except rollers.
703310	Alloy steel balls for bearings.
703310	Carbon steel balls for bearings.
703315	Alloy steel rollers for bearings.
703315	Carbon steel rollers for bearings.
779335	Electronic, fluorescent and incandescent bulb and tube (lamp) manufacturing and assembling machines, and specially fabricated parts, n. e. c. (report bulb and tube glass blank making machines in 779330).
780117	Used and rebuilt locomotives (except electric), underground type.
780148	Used and rebuilt mine, industrial, and other freight cars, except self-propelled.
780148	Other used and rebuilt railway cars, except self-propelled (specify type).
780172	Parts, for locomotives and railway cars (report electric propulsion motors, generators and controls in 704309; wheels and axles in 616115-616125): Parts, and accessories, n. e. c., specially fabricated for underground type locomotives (specify by name).
822970	Reagent chemicals for laboratory use (C. P., U. S. P., N. F., A. C. S.), or other recognized reagent grades only (specify by name): Sodium bismuthate.
839100	Gases, compressed, liquefied, and solidified, except liquefied petroleum gases (report liquefied petroleum gases in 604500): Gaseous refrigerants (specify by name): Trichloromonofluoromethane (Freon 11); and dichlorodifluoromethane (Freon 12).
919050	Research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.: Laboratory sub-micron particle-size analyzers, and specially fabricated parts, n. e. c.

This part of the amendment shall become effective as of May 9, 1953.

5 The following commodities are no longer subject to evidence of availability requirements (see § 373.3) Accordingly the letter D' set forth in the column headed 'Commodity Lists' opposite those commodities is hereby deleted:

Dept. of Commerce Schedule B No	Commodity
947450	Parts and accessories, n e c, specially fabricated for small arms: Gun part fabrications brass and bronze.
947550	Parts and accessories, n e c, specially fabricated for artillery and naval guns mortars rocket and missile launchers, except self-propelled.
948169	Components and parts, n e c, specially fabricated for small arms ammunition: Brass and bronze manufactures for munitions components n e c
948169	Cartridge belt link fabrications brass and bronze
948169	Cartridge belt link fabrications brass and bronze
948250	Cartridge strips, brass
948250	Components and parts, n e c, specially fabricated for artillery naval gun and mortar ammunition: Anvils for shell fabrication, brass and bronze.
948250	Brass and bronze manufactures for munitions components, n e c
948250	Copper rotating bands for shells and other copper munitions components
948250	Gas checks copper

This part of the amendment shall become effective as of April 9 1953

6 The processing codes set forth opposite the commodity entries listed below are amended by the addition of the following related commodity group numbers:

Dept. of Commerce Schedule B No	Commodity	Processing code and related commodity group No
020104	Cattle hides, wet	LEAT 2
025008	Hides and skins, raw, n e c. (include whole skins and parts thereof): Cattle hide parts (including but not limited to bellies croupions shoulders butts and spits).	LEAT 2
022300	Feathers crude, not dressed:	TEXT 2
022300	Down, and waterfowl feathers, 3 inches in length and under	TEXT 2
022300	Feathers dressed, and manufactures of feathers except waste:	CERL 1
105500	Down, and waterfowl feathers, 3 inches in length and under, and the following manures of such feathers: down comforters down filled coats and jackets feather pillows, sleeping bags, and sleeping robes	CERL 1
105710	Paddy or rough rice, except for seed.	FATS 1
105710	Milled rice, containing more than 25 percent whole kernels (specify approximate percent whole kernels)	TEXT 1
105750	Milled rice, containing not more than 25 percent whole kernels (specify approximate percent whole kernels)	TEXT 3
234001	Vegetable oils (except essential) and fats, crude:	TEXT 4
234001	Castor oil, commuted (including sulfonated, n e c.) (report medicinal grade in 811100)	TEXT 4
234001	Hard fiber yarns (including jute sisal henequen, and manila yarns).	TEXT 4
234001	Flax yarn (except thrown yarn) of man made (synthetic) fibers on cones, warps, beams, or with the flax of the yarn. Exclude the weight of such winding cores, in reporting quantity report beams separately in 704000.	TEXT 4
334022	Viscose high tenacity rayon yarn and cord:	TEXT 4
334022	Singles (including the yarn)	TEXT 4
334022	Piled (including the cord) untreated treated or dipped but not woven (report woven rayon the fabric in 334044)	TEXT 4
334022	Orlon (including monofilaments 20 denier and finer)	TEXT 4
334022	Nylon (including monofilaments 20 denier and finer)	TEXT 4
334022	Thrown yarns (crepe voile and combination twists and plied yarns n e c):	TEXT 4
334022	Nylon and orlon	TEXT 4
334022	Monofilaments, monofilaments and extruded bands and strips (not woven) for the manufacture of textiles:	TEXT 4
334022	Nylon and orlon (report nylon monofilament yarn 20 denier and finer in 334023)	TEXT 4
334022	Spun yarns of staple and of waste (including singles and plied):	TEXT 4
334022	Nylon and orlon	TEXT 4
334022	Nylon webbing for parachute harness	TEXT 4
334022	Logs, bolts, and heavy timber:	TEXT 4
401700	Port Orford cedar logs (including Lawson's cypress)	LUMB 1
401700	Softwood lumber, new (including rough-sawn, dressed, worked, or patterned lumber and softwood flooring) (shippers report thickness and grade where indicated):	LUMB 1
401700	Port Orford cedar (including Lawson's cypress) (state grade)	LUMB 1

Dept. of Commerce Schedule B No	Commodity	Processing code and related commodity group No
481500	Flax paper:	PULP 1
481500	Capacitor tissue: electrical insulating tissue; cell paper; electrolytic condenser tissue Kraft; Kraft condenser tissue; other paper for dielectric use coated or uncoated	PULP 1
482700	Special industrial paper:	PULP 2
482700	Cable filling, electrical; cable paper stock; cell-winding paper; electrical insulating paper, other than fine paper; other paper for dielectric use coated or uncoated	PULP 2
484000	Battery board; electrical insulation board, except wet machine	PULP 2
484400	Wet machine board; electrical insulation only	PULP 2
486400	Converted paper and board products:	PULP 2
486400	Laminated paper products:	PULP 2
486400	Paired paper products, n e c. (specify by name):	PULP 2
486400	Cello paper; electrical paper and cloth, gummed; paper sheaving; treated; roto paper coated with electrical insulating; and paper paperboard and tissue for dielectric use coated or uncoated n e c.	PULP 2
722030	Attachments, n e c, for track laying or wheel type tractors or commercial trucks (specify by name):	AGMT 1
722030	Hydraulic and cable controls for wheel type tractors; and winches for wheel type tractors.	AGMT 1
722030	Construction and maintenance equipment n e c and specially fabricated parts, n e c (specify by name):	AGMT 1
722030	Parts and accessories, n e c, specially fabricated for: hydraulic controls for wheel-type tractors; and winches for wheel type tractors.	AGMT 1
722030	Insecticide sprayers and dusters (report parts in 787100):	AGMT 1
722030	Power sprayers, including traction type	AGMT 1
722030	Tractors (except contractors' wheel type, and industrial type) (report horsepower rating according to Nebraska Maximum Test or manufacturer's equivalent) (report contractors' wheel type in 722024; industrial type in 725020):	AGMT 1
722030	Wheel type tractors, new:	AGMT 1
722030	Row crop type tractors, new:	AGMT 1
722030	8 under 15 belt horsepower.	AGMT 1
722030	15 under 25 belt horsepower.	AGMT 1
722030	25 under 30 belt horsepower.	AGMT 1
722030	30 under 35 belt horsepower.	AGMT 1
722030	35 under 40 belt horsepower.	AGMT 1
722030	40 and over belt horsepower.	AGMT 1
722030	Standard wheel type tractors, new:	AGMT 1
722030	8 under 20 belt horsepower.	AGMT 1
722030	20 under 25 belt horsepower.	AGMT 1
722030	25 under 35 belt horsepower.	AGMT 1
722030	35 under 45 belt horsepower.	AGMT 1
722030	45 under 60 belt horsepower.	AGMT 1
722030	60 and over belt horsepower.	AGMT 1
722030	Row crop and standard wheel type tractors used and rebuilt:	AGMT 1
722030	Under 60 belt horsepower.	AGMT 1
722030	60 and over belt horsepower.	AGMT 1
722030	Parts and accessories, n e c, specially fabricated for wheel type tractors, except garden tractors (report engines in 714320-714330 and 714710-714720; attachments in 725030; contractors and industrial type tractor parts in 722023 and 725030)	AGMT 1
722030	Copper sulfate or blue vitriol.	AGMT 1
722030	Sulfur formulations containing 20 percent or more sulfur (specify by name and/or composition).	AGMT 1
722030	Agricultural sulfur n e c (report ground sulfur unconditioned for use on plants or soil in 714800).	AGMT 1
722030	Textile specialty compounds:	AGMT 1
722030	Castor oil, sulfonated.	AGMT 1
722030	Tanning specialty compounds:	AGMT 1
722030	Castor oil, sulfonated	AGMT 1
722030	Sodium compounds:	AGMT 1
722030	Sodium compounds except as fertilizer or medicinal (report fertilizer in 80700; and medicinal in 813400)	AGMT 1
722030	Ammonium compounds except fertilizers (report fertilizers and fertilizer materials in 80700-807100):	AGMT 1
722030	Ammonium nitrate.	AGMT 1
722030	Ammonium compounds, n e c. (specify by name):	AGMT 1
722030	Ammonium phosphate.	AGMT 1
722030	Ammonium sulfate.	AGMT 1
722030	Urea.	AGMT 1
722030	Other industrial chemicals:	AGMT 1
722030	Copper sulfate (including basic and tribasic copper sulfate) (report copper sulfate for agricultural use in 820100)	AGMT 1
722030	Nitrogenous fertilizer materials (report nitrogenous phosphatic types in 834100 834200):	AGMT 1
722030	Nitrogenous chemical materials:	AGMT 1
722030	Ammonium sulfate.	AGMT 1
722030	Sodium nitrate, n e c.	AGMT 1
722030	Sodium nitrate.	AGMT 1
722030	Ammonium nitrate.	AGMT 1
722030	Nitrogenous chemical materials n e c. (specify by name and state percentage of nitrogen)	AGMT 1

2. The dollar value limit in the column headed "GLV dollar-value limit" set forth opposite the commodities listed below is amended to read as follows

Dept. of Com. mercio agropecu B No	Commodity	GLV dollar value limits
017000	Tools (all metals), n. e. c.; Drills and bits, hard surfaced steel and tungsten carbide types (report types for power driven tools in 744381) ..... n. e. g. and parts, n. e. c.; Transforming or converting apparatus (specify by name) ..... n. e. g. and parts, n. e. c.; Instrument transformers (specify by name) ..... n. e. g. and parts, n. e. c.; Parts and accessories, n. e. c., specially fabricated for transformers and regulators included on the Positive List under Schedule B Nos. 702110 through 702380	10 100 25
702200 702420	Electrical quantity measuring and testing instruments and parts (report automotive type electrical testing instruments in 703185): Electrical quantity indicating instruments, nonrecording, n. e. c., except battery testers battery testing voltmeters, and cell testers (specify by name) ..... n. e. c., except battery testers Electrical testing instruments, n. e. c. (specify by name) (report penetron gamma ray thick ness meters, and specially fabricated parts and accessories, n. e. c., in 703990). Parts, n. e. c., specially fabricated for integrating meters (except watt-hour), electrical quantity indicating and recording instruments and electrical testing instruments (specify by name) (report penetron gamma ray thickness meters and specially fabricated parts and accessories, n. e. c., in 703990).	25 25 25 25 25
703020 703825 703950	Parts, n. e. c., specially fabricated for electric industrial melting and refining furnaces Radio and television apparatus: Radio and television receiving type tubes (specify by name) (report television picture re- ceiving tubes in 703410) Parts, n. e. c., and specially fabricated parts, n. e. c. (specify by name) Telephone apparatus (specify by name): Telephone instruments ..... n. e. c. Telephone equipment n. e. c. and specially fabricated parts and accessories n. e. c. (specify by name)	100 25 100 100 100
703950 703960 703970	Magnetic recorders, disk, tape, and wire, and specially fabricated parts and accessories, n. e. c. (specify by name) (report motion picture sound recording and reproducing equip- ment in 601000-601100; spare and replacement tubes in 707805, 707810 and 707907) Diathermy tubes ..... n. e. c. Other electronic tubes, n. e. c., commercial and industrial (including all rectifier tubes)	25 25 25 25 25
705007 705007 705007	Electrical apparatus, n. e. c., and specially fabricated parts, n. e. c. (specify by name): Electrolysis equipment, and specially fabricated parts, n. e. c., except metal finishing equipment (report metal finishing equipment in 744550) Parts specially fabricated for mercury rectifiers Phase converter parts Searchlight parts Searchlight equipment parts Steam engines and turbines, n. e. c., and parts n. e. c.	10 25 100 100 100
705028 705034 705038 705038	Parts, n. e. c., specially fabricated for water wheels, and water turbines Research laboratory apparatus and equipment, n. e. c., on specially fabricated parts, n. e. c. Parts specially fabricated for analytical balances (including parts for electromicro balances, microchemical balances, assay balances, quartz fiber microbalances, and electronic balances)	25 100 100 100
711410 711450	Parts, n. e. c., specially fabricated for water wheels, and water turbines Research laboratory apparatus and equipment, n. e. c., on specially fabricated parts, n. e. c. Parts specially fabricated for analytical balances (including parts for electromicro balances, microchemical balances, assay balances, quartz fiber microbalances, and electronic balances)	25 100
010650	Parts, n. e. c., specially fabricated for water wheels, and water turbines Research laboratory apparatus and equipment, n. e. c., on specially fabricated parts, n. e. c. Parts specially fabricated for analytical balances (including parts for electromicro balances, microchemical balances, assay balances, quartz fiber microbalances, and electronic balances)	25 100

This part of the amendment shall become effective as of 12:01 a m., April 10, 1953

3. The following commodities are excepted from the General In-transit License (GIT) procedure (§ 371.9 (c)). Accordingly, these commodities are identified on the Positive List by the symbol ★ following the Schedule B number:

Dept. of Com- merce Statistic B No	Commodity
530020	Aluminum scrap (new and old).
530070	Aluminum silicon, in crude form (formerly 530310).
530070	Other aluminum metal and alloys in crude form (including ingots, pigs, blooms, and slabs)
530301	Aluminum sheets, corrugated.
530301	Other aluminum plates and sheets, flat and rolled (0.006 inch and over in thickness)
530301	Aluminum bars and rods, rolled or drawn (3/8 inch and over) (report extruded bars and rods in 530320)
530310	Aluminum bus bars in 709493

Dept of Commerce & Schedule B No	Commodity	Processing and storage label com- modity group No
851001	Phosphatic fertilizer materials: Normal (standard) superphosphate, containing not more than 25 percent available phos- phoric acid (state percentage of $P_2O_5$ )	FERT 2
851009	Concentrated superphosphate, containing more than 25 percent available phosphoric acid (state percentage of $P_2O_5$ )	FERT 2
853000	Potassium chloride	FERT 3
853100	Potassium sulfate	FERT 3
854100	Nitrogenous phosphatic fertilizer, state percentage of N and $P_2O_5$	FERT 4
854000	Nitrogenous phosphatic types, n o c (specify by name and state percentage of N and $P_2O_5$ )	FERT 4
855100	Prepared fertilizer mixtures (specify by name and state percentage of N $K_2O$ and $P_2O_5$ )	FERT 4

This part of the amendment shall become effective as of April 9, 1953.

7 The processing code set forth opposite the commodity entry listed below is amended to read as follows:

**LORING K MACY**  
*Director*  
*Office of International Trade*

IF R Doc 53-3500; Filed Apr 23 1953;  
8:45 a m]

[6th Gen Rev. of Export Regs Amdt  
P L 38']

## PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

## MISCELLANEOUS AMENDMENTS

Section 3991 Appendix A--Positive

**List of Commodities is amended in the following particulars:**

**1 The following commodities are de-**  
**leted from the Positive List:**

Dept. of Cons. matters Schedule B No	Commodity
	Construction materials:
018564	Each, sections and frames door and window:
	Aluminum
	Construction materials, n. e. c.:
018567	Aluminum (specify by name)
018568	Other metals, except all copper armored building paper and brass and bronze construction materials
	(specify by name and type of metal) (report iron and steel construction materials, n. e. c., in 018560)
	Venetian blinds (including slats and strip) and specially finished parts, n. e. c.:
018592	Aluminum

This part of the amendment shall become effective as of 12:01 a. m., April 16, 1953.

<sup>1</sup> This amendment was published in Current Export Bulletin No 700, dated April 18, 1953

Dept. of Com. and Merc. Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commod-ity lists
769200	Roller bearings including all components, and spe- cially fabricated parts, except separate rollers (report separate rollers in 769315) (see § 309.2 Int. 3);		GIEQ 3	25	RO	A B
769200	Alloy steel <sup>1</sup> ;		GIEQ 3	25	RO	A B
769310	Balls for bearings (see § 309.2 Int. 3);		GIEQ 3	25	RO	A B
769310	Alloy steel <sup>1</sup> ;		GIEQ 3	25	RO	A B
769310	Carbon steel <sup>2</sup> ;		GIEQ 3	25	RO	A B
769315	Rollers for bearings (see § 309.2 Int. 3);		GIEQ 3	25	RO	A B
769315	Alloy steel <sup>1</sup> ;		GIEQ 3	25	RO	A B
769315	Carbon steel <sup>2</sup> ;		GIEQ 3	25	RO	A B
769600	Landing mats aircraft	Lb 16	STEE	100	RO	A D

★The commodities described in this Positive List entry are excepted from the provisions of General Import License GLT. See § 371.9 (c) of this subchapter

†Applicable to containers only and not to contents

No. 648060 The above entry is substituted for the entry presently on the Positive List under Schedule B No. 648060. The effect of this amendment is to require applicants to specify whether natural or artificial graphite, and to remove the commodities included in this Positive List entry from the evidence of availability requirements (see § 373.3 of this subchapter).

No. 603910 The effect of this revision is to clarify the coverage by indicating that tin mill black plate strips and misprints are forms of rejects and hence have been deleted from the Positive List.

No. 617903 The effect of this revision is to add to the Positive List under Schedule B No. 617903. The effect of this revision is (a) to establish entries under this Schedule B number for tungsten carbide inserts for rock drill bits and other tools, formerly included in the entry on the Positive List under Schedule B No. 604583 (b) to change the GLV dollar value limits from none to \$25, and (c) to change the processing codes from MINL to TOOL and MINE as indicated in the entries.

No. 706970 The effect of this revision is to clarify the coverage by indicating that the pressure rating stamped on a metal drum or container is the pressure for which the drum or container is designed. Most pressure containers have a 5 to 1 safety factor and are capable of withstanding up to five times the stamped pressure rating. (Any shipping container which does not have a pressure rating stamped thereon is not a pressure container.)

No. 769310 The effect of this revision is to clarify the reporting requirement that weight of container shall be specified on export license applications.

No. 769310 The effect of this revision is to reduce the GLV from \$25 to none for gauges for measuring pressures in excess of 100 atmospheres; and to require applicants to specify the range of the gauges included in this Positive List entry.

No. 769310 The effect of this revision is to clarify the coverage by indicating that the Positive List entry is substituted for the ninth, tenth, and eleventh entries presently on the Positive List under Schedule B No. 769310.

No. 769310 The effect of this revision is to extend the Positive List coverage to include all vacuum gauges and specially fabricated parts; to require applicants to specify the type and range of gauge reading expressed in terms of millimeters of mercury pressure absolute. All vacuum gauges and specially fabricated parts are now (a) excepted from the provisions of General Import License GLT (see § 371.9 (c) of this subchapter); and (b) made subject to the dollar limit (DL) restriction (see § 374.2 (c) of this subchapter) effective March 16, 1953.

No. 769310 The effect of this revision is to add to the Positive List under Schedule B No. 769310, the effect of this revision is to add to the Positive List, RO control, specially fabricated parts for electric strain gauge equipment assemblies for measuring, indicating and/or recording strains electrically; and to require applicants to specify whether such electric strain gauge equipment assemblies are substituted for the eighth entries presently on the Positive List under Schedule B No. 769310, and 769310, and 769310.

No. 769310 The effect of this revision is to clarify the coverage by indicating that the Positive List entry is substituted for the third entry presently on the Positive List under Schedule B No. 769310.

No. 769310 The effect of this revision is to add to the Positive List, RO control, specially fabricated parts for electric strain gauge equipment assemblies for measuring, indicating and/or recording strains electrically; and to require applicants to specify whether such electric strain gauge equipment assemblies are substituted for the eighth entries presently on the Positive List under Schedule B No. 769310, and 769310, and 769310.

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No. 769310 The effect of this revision is to clarify the coverage by indicating that the Positive List entry is substituted for the third entry presently on the Positive List under Schedule B No. 769310.

Dept. o Com. and Merc. Schedule B No	Commodity
630320	Aluminum extruded and drawn shapes and tubes, except drawn bars rods and wire
630340	Aluminum castings and forgings, rough and semifinished
630610	Aluminum wire (under 3/16 inch) and cable, bare (including aluminum cable, steel reinforced—ACSR), except welding rods and wire, (specify by name) (report welding rods and wire in 619030)
630650	Aluminum semifabricated forms n e c (specify by name)

This part of the amendment shall become effective as of 12:01 a m May 16 1953

4. The following revisions are made in commodity descriptions These revisions include changes in validated license control where indicated:

Dept. of Com. and Merc. Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commod-ity lists
★648060	Carbon or graphite products (natural and artificial): Refractory crucibles, rotors, and stoppers (specify whether natural or artificial); <sup>1</sup>	No	MINL	100	RO	A B
613910	Tin mill black plate, except rejects (including mis-prints and strips), wasters, and waste wasters; <sup>2</sup> Tool bit blanks and dies and inserts for tools and rock drill bits;	Lb	STEE 5	1 000	RO	B C
★617903	Tungsten carbide inserts for rock drill bits <sup>3</sup>	Lb	MINE	25	RO	A B
★617903	Tungsten carbide inserts for other tools <sup>4</sup>	Lb	TOOL	25	RO	A B
619011	Shipping containers for oil, gas, and other liquids and solids (all metals) (report storage tanks in 619077 or 619071);	No	STEE	100	RO	A B D
619012	Filled shipping containers of the following types only: <sup>5</sup> 1 Pressure type containers (all sizes) capable of withstanding internal pressures over 300 pounds per square inch; <sup>6</sup> 2 Containers, including pressure type, with a capacity of 5 or more gallons, fabricated of, or lined with, any corrosion resistant materials as defined in the "General Notes to Appendix A."	No	STEE	100	RO	A B D
769370	Gas cylinders (specify tare weight of cylinders) <sup>1</sup> Other metal containers, except milk cans (specify tare weight of containers). <sup>2</sup> Industrial process indicating (measuring) recording, and/or controlling instruments n. e. c., and specially fabricated parts, n. e. c. (for measuring and/or controlling temperatures, pressure, level, flow, humidity, moisture, motion, rotation, gas analysis, chemical properties and variables) (specify by name):	No	GIEQ 7	None	RO	A
★769370	Gauges for measuring pressures in excess of 100 at- mospheres (1,470 pounds per square inch abso- lute, or 103 kilograms per square centimeter ab- solute), and specially fabricated parts therefor (specify range). <sup>3</sup>	No	GIEQ 8	None	RO	B
769390	Vacuum gauges all types, and specially fabricated parts (specify type, and range of gauge reading expressed in terms of millimeters of mercury pres- sure absolute). <sup>4</sup> Physical properties testing and inspecting machines, n. e. c., and specially fabricated parts and acces- sories. <sup>5</sup>	No	GIEQ	None	RO	A
769100	Electric strain gauge equipment assemblies for measuring, indicating and/or recording strains electrically, and specially fabricated parts (specify whether indicating or recording). <sup>6</sup>	No	GIEQ	None	RO	A
769100	Ball bearings including all components, and spe- cially fabricated parts except separate balls (report separate balls in 769310) (see § 399.2 Int. 3);	No	GIEQ 3	25	RO	A B
769100	Alloy steel <sup>1</sup> ;	No	GIEQ 3	25	RO	A B
769100	Carbon steel <sup>2</sup> ;	No	GIEQ 3	25	RO	A B

This part of the amendment shall be- come effective as of 12:01 a m April 23 1953

5 The following commodities are no longer subject to the evidence of avail- ability requirements (see § 373.3) Ac- cordingly the letter 'D' set forth in the column headed Commodity Lists op- posite those commodities is hereby deleted:

This part of the amendment shall be- come effective as of April 16 1953

Aluminum sheets corrugated.

630301

Commodity

Dept. of Com. and Merc. Schedule B No

Val-dated license required

GLV dollar value limits

Processing code and related commodity group

Unit

Commodity

Commod-ity lists



6. The processing code set forth opposite the commodity entry listed below is amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	Processing code
709907	Diathermy tubes	ELME

This part of the amendment shall become effective as of April 16, 1953.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits are reduced, as a result of changes set forth in item 4 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., April 23, 1953, may be exported under the previous general license provisions up to and including May 16, 1953. Any such shipment not laden aboard the exporting carrier on or before May 16, 1953, requires a validated license for export.

7. Section 399.3 *Appendix C—Commodity Processing Codes* is simultaneously amended to reflect the changes in processing codes set forth in item 6 above.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

LORING K. MACY,  
Director

Office of International Trade.

[F. R. Doc. 53-3610; Filed, Apr. 23, 1953; 8:51 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

#### Subchapter B—Export and Diversion Programs [Amdt. 1]

#### PART 517—FRUITS AND BERRIES, FRESH SUBPART—ORANGE EXPORT PAYMENT PROGRAM TMX 135a (FISCAL YEAR 1953)

##### PRODUCT SPECIFICATIONS

Section 517.379 (a) (1) is hereby revised to read as follows:

§ 517.379 *Product specifications.*  
\* \* \*

(a) *Fresh oranges.* (1) Fresh oranges produced in California and Arizona shall meet the requirements for the Standards for Export and for Standard Pack; also not less than 85 percent of the oranges in any lot shall meet the requirements for U. S. No. 1 Grade, and the remainder, U. S. No. 2 Grade. Each fruit shall be individually wrapped. "Standards for Export," "Standard Pack," "U. S. No. 1" and "U. S. No. 2" shall have the meanings as defined in "U. S. Standards for Oranges (California and Arizona)," effective March 8, 1953.

*Effective date.* This amendment shall become effective at 12:01 a. m., e. s. t., April 24, 1953.

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. Sup. 612e)

Dated this 21st day of April 1953.

[SEAL]

S. R. SMITH,  
*Authorized Representative of  
the Secretary of Agriculture.*

[F. R. Doc. 53-3617; Filed, Apr. 23, 1953; 8:52 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 4b-3]

#### PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

##### CORRECTION

In F. R. Doc. 53-3376, appearing in the issue for Saturday, April 18, 1953, on page 2217, the following changes should be made:

1. In column 2, § 4b.719 should read:

§ 4b.719 *Airplane weight, center of gravity, and weight distribution limitations.* The airplane weight, center of gravity, and weight distribution limitations shall be those prescribed in §§ 4b.101, 4b.102 and 4b.103. \* \* \*

2. On page 2213 in column 3, the fourth paragraph, line 2, in this same document, should read: "4b.474, 4b.476, 4b.604, and 4b.611 and"

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
*Secretary.*

[F. R. Doc. 53-3608; Filed, Apr. 23, 1953; 8:51 a. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

##### REGULATION A—GENERAL EXEMPTION

##### FILING OF NOTIFICATION ON FORM 1-A

*Purpose of amendment.* The Securities and Exchange Commission has amended its Regulation A under the Securities Act of 1933. This regulation exempts from registration under the act offerings of securities not in excess of \$300,000 which are made in accordance with the terms and conditions of the regulation. The amendment provides that the Commission may shorten the waiting period between the filing of the notification and the commencement of the offering of the securities.

*Statutory basis.* The amendment is adopted pursuant to the Securities Act of 1933, particularly sections 3 (b) and 19 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

Section 230.218 of Regulation A is amended to read as follows:

§ 230.218 *Filing of notification on Form 1-A.* (a) At least 10 days (Saturdays, Sundays and holidays excluded) prior to the date on which the initial offering of any securities is to be made under this part, there shall be filed with the Regional Office of the Commission for the region in which the issuer's principal business operations are conducted, three copies of a notification on Form 1-A. The Commission may, however, authorize the commencement of the offering prior to the expiration of such ten-day period.

(b) The notification shall be signed by the issuer and each person, other than the issuer, on whose behalf any of such securities are to be offered. If the notification is signed by any person on behalf of any other person, evidence of authority to sign on behalf of such other person shall be filed with the notification, except where an officer of the issuer signs on behalf of the issuer.

(Sec. 10, 48 Stat. 65, as amended; 15 U. S. C. 77e)

*Effective date.* The Commission finds that the amendment will operate to the advantage of issuers proposing to offer securities under Regulation A, that it is consistent with the interests of investors, and that notice and procedure in accordance with section 4 of the Administrative Procedure Act with respect to such amendment is not necessary.

The amendment, being one relieving a restriction, shall become effective April 17, 1953.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
*Secretary.*

APRIL 17, 1953.

[F. R. Doc. 53-3587; Filed, Apr. 23, 1953; 9:11 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue, Department of the Treasury

#### Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 6063]

#### PART 458—INSPECTION OF RETURNS

##### INSPECTION OF RETURNS BY SENATE COMMITTEE ON THE JUDICIARY

§ 458.318 *Inspection of returns by Senate Judiciary Committee relating to examination of administration of Trading With the Enemy Act.* (a) (1) Pursuant to the provisions of sections 55 (a) 508, 603, 729 (a) and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008, 55 Stat. 722; 26 U. S. C. 55 (a) 508, 603, 729 (a) and 1204) and of the Executive order issued thereunder,<sup>1</sup> any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1941 to 1952, inclusive, shall be open to inspection by the Senate Committee on the Judiciary or any duly authorized subcommittee thereof for the purpose of carrying out the provisions of Senate

<sup>1</sup> See Title 3, Executive Order 10447, *supra*.

Resolution 245 (82d Congress, 2d Session) agreed to March 24, 1952, as extended by Senate Resolution 47 (83d Congress, 1st Session) relating to an examination and review of the administration of the Trading With the Enemy Act.

(2) The inspection of returns authorized in this section may be made by the Committee or a duly authorized subcommittee thereof, acting directly as a committee or as a subcommittee, or by or through such examiners or agents as the Committee or subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the Chairman of the Committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secretary of the Treasury and any officer or employee of the Treasury Department, with the approval of the Secretary of the Treasury, may furnish such Committee or subcommittee with any data relating to or contained in any such return, or may make such return available for inspection by the Committee or subcommittee or by such examiners or agents as the Committee or subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the Committee or subcommittee thereof shall be held confidential: *Provided, however* That any portion thereof relevant or pertinent to the purpose of the investigation may be submitted by the Committee to the United States Senate.

(b) Because of the immediate need of the said Senate Committee on the Judiciary to inspect the returns mentioned in this section, it is hereby found that it is impracticable and contrary to the public interest to issue this Treasury decision and notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 467; 26 U. S. C. 3791)

[SEAL] G. M. HUMPHREY,  
Secretary of the Treasury.

Approved: April 22, 1953.

DWIGHT D. EISENHOWER,  
The White House.

[F. R. Doc. 53-3675; Filed, Apr. 22, 1953;  
3:39 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### Subchapter A—Aid of Civil Authorities and Public Relations

#### PART 803—APPREHENSION AND ARREST OF PERSONS NOT SUBJECT TO MILITARY LAW

#### PART 813—DELIVERY OF AIR FORCE PERSONNEL TO CIVILIAN AUTHORITIES

1. The reference made to Part 503, Chapter V Department of the Army (13

F. R. 8751; 32 CFR Part 803) as being applicable to the Department of the Air Force is rescinded and the following is substituted therefor:

§ 803.1 *Persons not subject to the Uniform Code of Military Justice*—(a) *General.* All members of the Air Force have the ordinary right of civilians to assist in the maintenance of the peace. Usually, therefore, when a felony or a misdemeanor amounting to a breach of the peace is being committed, members of the Air Force have the right, as do civilians generally, to apprehend the perpetrator no matter what his status.

(b) *Ejection.* Persons not subject to military law who are found within the limits of military jurisdiction in the act of committing a breach of regulations, not amounting to a felony or a breach of the peace, may be removed therefrom upon orders from the commanding officer and ordered by him not to re-enter. For the penalty imposed upon re-entrance after ejection, see section 1382, Title 18, United States Code (62 Stat. 765; 18 U. S. C. 1382).

[AFR 111-12] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a)

2. Part 813 which sets forth the policy and procedure for the delivery of Air Force personnel to civilian authorities for trial is added to Subchapter A.

Sec.  
813.1 General.  
813.2 Policy.  
813.3 Procedure for delivery.

AUTHORITY: §§ 813.1 to 813.3 issued under sec. 1, 64 Stat. 112; 50 U. S. C. 568.

DERIVATION: AFR 111-11.

§ 813.1 *General.* The commanding officer of a command exercising general court-martial jurisdiction, or a wing or base commander when authorized by the officer exercising general court-martial jurisdiction, may, in accordance with Article 14 of the Uniform Code of Military Justice (64 Stat. 112; 50 U. S. C. 568) authorize the delivery of a member of the Air Force under his command, when such member is accused of a crime or offense made punishable by the laws of the jurisdiction making the request, to the civil authorities of the United States or of a State of the United States under the conditions prescribed in this part.

§ 813.2 *Policy*—(a) *Offenses punishable by imprisonment for more than one year.* It is the general policy of the Department of Air Force to turn over to the civil authorities of the Federal Government or a State of the United States, upon their request, members of the Air Force charged with a civil offense punishable by imprisonment for more than one year, when such request is accompanied by a copy of the indictment, information, or other document which may be used in the particular jurisdiction to prefer formal charges of the commission of a criminal offense. In addition, it shall be the general policy of Department of the Air Force to turn over to Federal authorities, upon their request, members of the Air Force for whom a warrant of arrest has been issued for a Federal offense punishable by imprisonment for more

than one year, when such request is accompanied by a statement from a United States attorney that an indictment will be sought and that substantial grounds exist for belief that an indictment will be returned.

(b) *Offenses punishable by imprisonment for one year or less.* Upon request of civil authorities for the delivery of a member of the Air Force charged with an offense, punishable by imprisonment for one year or less, the commanding officer authorized to deliver will exercise his discretion after consideration of the nature of the offense charged, other facts and circumstances, and the existing military situation. The request for delivery shall be accompanied by a copy of the information or other document which may be used in the particular jurisdiction to prefer formal charges.

(c) *Request for delivery by a State other than the State in which person requested is located.* With respect to the extradition process, military personnel may be considered to be in the same status as persons not members of the Armed Forces. It is contrary to the general policy of the Department of the Air Force to transfer members of the Air Force from a station within one State to a station within another State for the purpose of making such person amenable to civilian legal proceedings. Accordingly if the delivery of a member of the Air Force is requested by a State other than the State in which he is located, the authorities of the requesting State may be required to complete the extradition process according to the prescribed procedures to obtain custody of a person from the State in which the individual is located and to make arrangements to take the individual into custody there.

§ 813.3 *Procedure for delivery*—(a) *Delivery to State authorities.* Prior to making delivery to the civil authorities of a State, the commanding officer having authority to deliver will obtain from the Governor or other duly authorized officer of such State a written agreement substantially in the following form:

In consideration of the delivery of -----  
(Name,  
----- United States  
grade, and service number)  
Air Force, to ----- at -----, for  
trial upon the charge of -----, I  
hereby agree, pursuant to the authority  
vested in me as -----, that the com-  
manding officer of ----- will be in-  
formed of the outcome of the trial and that  
said ----- will be returned to Air Force  
authorities at the aforesaid place of his  
delivery, or issued transportation thereto  
without expense to the United States or to  
the person delivered, immediately upon com-  
pletion of his trial upon the charge aforesaid  
in the event that he is acquitted upon  
said trial, or immediately upon satisfying  
the sentence of the court in the event that  
he is convicted and a sentence imposed, or  
upon other disposition of his case, unless the  
Air Force authorities shall have indicated  
that return is not desired.

The Air Force considers this agreement substantially complied with when the Air Force authority who delivered the accused is informed of his prospective release for return to Air Force authorities, and when the individual is furnished transportation back to his station to-



gether with necessary funds to cover his incidental expenses en route thereto.

(b) *Delivery to Federal authorities.* Persons desired by the Federal authorities for trial will be called for and taken into custody by a United States marshal, deputy marshal, or other officer authorized by law upon agreement that the alleged offender shall be returned to the custody of the Air Force immediately after having answered to the civil authorities for his offense, including service of any unsuspended sentence to confinement, except where the Air Force has advised the Federal authorities that the return of the offender is not desired. (At the time of delivery, the United States marshal, deputy marshal, or other officer should be advised, in writing, as to the location of the Air Force station nearest the place of trial where the delivered person may be returned to the custody of the Air Force.)

(c) *When return to Air Force control is not desired.* Upon the discharge of an airman or separation of an officer, subsequent to delivery to civil authorities, and when it is determined that return to Air Force control is not desired, the officer ordering the discharge or separation will take action to notify the civil authorities to whom the person was delivered that return of the offender is not desired.

[SEAL] H. B. HOHMAN,  
Colonel, U. S. Air Force,  
Acting Air Adjutant General.

[F. R. Doc. 53-3594; Filed, Apr. 23, 1953;  
8:47 a. m.]

#### Subchapter F—Reserve Forces

##### PART 861—OFFICERS' RESERVE

1. The following sections of Part 861 are rescinded: §§ 861.1 to 861.12 (32 CFR 861.1-861.12); §§ 861.1001 to 861.1009 (16 F. R. 9309, 17 F. R. 11144; 32 CFR 861.1001-861.1009) and §§ 861.1101 to 861.1112 (16 F. R. 2027; 17 F. R. 11144; 32 CFR 861.1101-861.1112)

2. The following §§ 861.1 to 861.13 and §§ 861.1001 to 861.1113 replace the rescinded sections listed in paragraph 1 above, and new §§ 861.21 to 861.36 are added to Part 861 as follows:

#### GENERAL

Sec.	Purpose.
861.1	Definitions.
861.2	Composition of the Air Force Reserve.
861.3	Training categories of the Ready and Standby Reserve.
861.4	Qualifications for Ready Reserve status.
861.5	Qualifications for Standby Reserve status.
861.6	Assignment and retention on the Inactive Status List.
861.7	Retired Reserve.
861.8	Credit for active and inactive duty participation.
861.9	Minimum participation requirements.
861.10	Age-in-grade criteria.
861.11	Assignments within the Air Force Reserve.
861.12	Administration of the Air Force Reserve.

#### PROMOTIONS

861.21	Purpose.
861.22	Definitions.

Sec.	Purpose.
861.23	Authority to effect promotions.
861.24	Requirements for promotion.
861.25	Air Force Reserve selection boards.
861.26	Promotion procedures.
861.27	Members of the Air National Guard of the United States in the active military service.

#### POINT-GAINING ACTIVITIES FOR AIR FORCE RESERVISTS

861.31	Purpose and policy.
861.32	Definitions.
861.33	Table of active and inactive duty points.
861.34	Limitations and minimum standards.
861.35	Basis for award and supporting evidence.
861.36	Maximum credit.

**AUTHORITY:** §§ 861.1 to 861.36 issued under sec. 251, 66 Stat. 495; 50 U. S. C. 1002. Interpret or apply secs. 101-259, 601-603, 66 Stat. 481-498, 501; 50 U. S. C. 801-1010, 1091-1093. Other statutory provisions interpreted or applied are cited to text.

**DERIVATION:** AFR's 30-68, 45-15, 45-3, 45-10, 45-5.

#### GENERAL

§ 861.1 *Purpose.* Sections 861.1 to 861.13 outline the personnel composition of the Air Force Reserve and state policy, standards, and procedures pertaining to the assignment, reassignment, and retention of airmen and officers below the grade of brigadier general who are not on extended active duty. Sections 861.1 to 861.13 also specify the methods by which Air Force Reserve officers and airmen may maintain their proficiency.

§ 861.2 *Definitions.* For the purpose of §§ 861.1 to 861.13, the following definitions apply:

(a) *Extended active duty.* Any tour of active duty performed by an individual with the active establishment, and entered into with the original expectation of serving for an indefinite or stated period of time. Tours under the provisions of §§ 861.1151 to 861.1177, regardless of duration, are not considered to be extended active duty. Extended active duty may be defined further as the only tour in which strength accountability changes from the Air Force Reserve to the active establishment. Air Force Reserve officers who are serving on active duty under the provisions of section V of the National Defense Act of 1916, as amended (sec. 5, 39 Stat. 167, as amended, 10 U. S. C. 38) and sections 234 and 252, of the Armed Forces Reserve Act of 1952 (secs. 234, 252, 66 Stat. 490, 496; 50 U. S. C. 962, 1003) are considered to be serving on extended active duty.

(b) *Active military service.* Full-time duty with the active establishment, either on extended active-duty, or on active duty for training. The terms "active military service" and "active duty" are synonymous.

(c) *Active duty for training.* Full-time duty with the active establishment for the purpose of training. All tours accomplished under the provisions of §§ 861.1151 to 861.1177 are included in this definition.

(d) *Inactive duty training.* Unit training assemblies, and periods of training, instruction, duty, appropriate duties, or equivalent training, including hazardous duty, which are authorized by competent authority and which are

performed with or without compensation by a member of the Air Force Reserve while not on active duty for training. Inactive duty training also includes authorized additional duties performed in connection with prescribed training, administration, and maintenance activities of the unit to which the individual is assigned or for study in connection with completion of correspondence courses through the United States Air Force Extension Course Institute. Points will be awarded for inactive duty training in accordance with the provisions of §§ 861.31 to 861.36.

(e) *Competent authority.* Any authority designated by the Chief of Staff, United States Air Force.

(f) *Active status.* The status of all Reservists except those on the Inactive Status List of the Standby Reserve and in the Retired Reserve.

(g) *Obligated Reserve service.* The period of time that an individual must remain in the Air Force Reserve by operation of sections 4d (1) (2) and (3) and 6d (1), of the Selective Service Act of 1948 as amended (Universal Military Training and Service Act) (secs. 4, 6, 62 Stat. 607, 609 as amended; 50 U. S. C. App. 454) or as may otherwise be required by law. The following individuals, by the action of cited laws, possess an obligation:

(1) Those individuals appointed, enlisted, or inducted for a period of active service during the period June 24, 1948, to June 19, 1951, and who are or were transferred to the Reserve have a reserve service obligation of five or six years, as outlined under the provisions of sections 4d (1) and (2) of the Selective Service Act of 1948 (Universal Military Training and Service Act) (sec. 4, 62 Stat. 607; 50 U. S. C. App. 454)

(2) Those individuals enlisted, inducted, or appointed after June 19, 1951, and prior to reaching age 26 have a total service obligation of eight years under the provisions of section 4d (3) of the Selective Service Act of 1948 as amended, (Universal Military Training and Service Act as amended) (sec. 4, 62 Stat. 607; 50 U. S. C. App. 454)

(3) A senior division Air Force Reserve Officers' Training Corps student who signed a deferment agreement in accordance with section 6d (1) of the Selective Service Act of 1948 (Universal Military Training and Service Act) (sec. 6, 62 Stat. 609; 50 U. S. C. App. 454) is obligated upon being commissioned to complete a total of eight years of Reserve service. At least two years of active military service may be required of those individuals.

(h) *Nonaffiliated reservists.* Reservists who are not assigned to a unit or affiliated with an individual Reserve training program for points but who are physically and professionally qualified to participate and who meet established criteria with respect to age-in-grade, availability for active military service, and minimum participation requirements.

(i) *Ineligible reservists.* Reservists who are ineligible to participate in unit and individual Reserve training activities for points because of physical disqualifications, professional disquali-

fications, or failure to meet established age-in-grade, and availability or minimum participation requirements.

(j) *Participation requirements.* The minimum participation required for maintenance of status in a particular element of the program. These requirements, which will be set forth in regulations applicable to each program element, may specify attendance at training periods, unit training assemblies, equivalent training or instruction, equivalent duty or appropriate duties, participation in correspondence courses, and other point gaining activities, including active duty for training. In addition to specific participation requirements for program elements, each Reservist to be eligible for participation must:

- (1) Meet age-in-grade requirements.
- (2) Be professionally qualified (maintain a level of proficiency sufficient to insure satisfactory performance of duty in the appropriate Air Force Specialty)
- (3) Be physically qualified for extended active duty.

§ 861.3 *Composition of the Air Force Reserve.* The Air Force Reserve includes all Reservists of the Air Force other than those who are members of the Air National Guard of the United States. It is divided into the Ready Reserve, the Standby Reserve and the Retired Reserve.

(a) The Ready Reserve consists of those units or individuals, or both, who are liable for active duty either in time of war, in time of national emergency declared by the Congress or proclaimed by the President, or when otherwise authorized by law.

(b) When Standby Reserve consists of those units or individuals, or both, who are liable for active duty only in time of war or national emergency declared by the Congress, or when otherwise authorized by law. Within the Standby Reserve will be the Inactive Status List, which is composed of qualified Air Force Reserve officers and airmen who have completed their total obligated Reserve service required of them by law, who request such status, and whose continued retention in the Air Force Reserve is determined to be in the best interest of the Air Force. While on the Inactive Status List of the Standby Reserve, Reservists will not be eligible for pay, promotion, or the accrual of points. They may be ordered to active duty involuntarily only after it has been determined that no qualified members of the Ready Reserve or members of the Standby Reserve not on the Inactive Status List are available for active duty.

(c) Retired Reserve consists of those Air Force Reserve officers and airmen whose names are placed on the United States Air Force Reserve Retired List and who are not eligible for inactive duty training pay, active duty for training, promotion, or the award of points. There is no organizational structure within the Retired Reserve. Members of the Retired Reserve may be ordered to active duty involuntarily when it is determined that no qualified members of the Ready or the Standby Reserve are available, but only in time of war or

national emergency declared by the Congress or when otherwise authorized by law.

§ 861.4 *Training categories of the Ready and Standby Reserve.* The Ready and Standby Reserve is divided into training categories A, B, C, D, E, F and G, a division based upon the annual training participation authorized and/or required of units or training program elements and the individuals assigned thereto. In addition to being designated Ready Standby, or Retired Reserve, each individual of the Ready and Standby Reserve will be assigned to a program element within one of the training categories. There are no program elements or training categories, however, within the Inactive Status List of the Standby Reserve or in the Retired Reserve. An Availability Classification Code determined in accordance with current directives is applicable to each training category. To be eligible for assignment to the Reserve Training Program a Reservist must possess an Availability Classification Code indicating equal or earlier availability than that specified for the Training Category concerned. If otherwise qualified an individual possessing Availability Classification Code AA is eligible for assignment to any training program. (Availability Classification Code AA includes those persons who will not require more than the normal 30 day notice to terminate their civilian status.)

(a) *Program elements.* The program elements within each training category are indicated below:

(1) *Training Category A.* Composed of Ready Reservists who possess an Availability Classification Code I, and who are assigned to one of the following program elements:

Combat Wings.  
Combat Support Wings.  
Flying Training Wings.

(2) *Training Category B.* Composed of Ready Reservists who possess an Availability Classification Code I, and who are assigned to one of the following program elements:

Specialist Training Units.  
Mobilization Assignment Reserve Section.

(3) *Training Category C.* Composed of Ready Reservists who possess an Availability Classification Code I.

Applicable only when program elements are established.

(4) *Training Category D.* Composed of Ready and Standby Reservists who possess Availability Classification Codes I, II, or III (except that Ready Reserve Specialist Training Unit members who possess Code AA may not be placed in training category D) and who are assigned to one of the following program elements:

Specialist Training Units.  
Volunteer Air Reserve Training Units.  
Mobilization Designation Reserve Section.

(5) *Training Category E.* Composed of Ready and Standby Reservists who possess Availability Classification Codes I, II, or III.

Applicable only when program elements are established.

(6) *Training Category F.* Composed of Ready and Standby Reservists who possess an Availability Classification Code I, II, III, or IV and who are assigned to the following program element:

Nonaffiliated Reserve Section.

(7) *Training Category G.* Composed of Ready and Standby Reservists who possess any Availability Classification Code and who are assigned to the following program element:

Ineligible Reservists' Section.

(b) *Criteria for membership within training categories and program elements—(1) General.* The Training Categories A, B, C, D, E, F will be composed of personnel who are physically and professionally qualified for active duty and who fulfill existing skill, age, and grade requirements and participation standards within the categories. In addition, the specified criteria as outlined within the training categories in subparagraphs (2) (3), (4) and (5) of this paragraph must be fulfilled:

(2) *Categories A, B, and C.* The Availability Classification Code must not exceed Code I (one through three months)

(3) *Categories D and E.* The Availability Classification Code must not exceed Code III (seven through 12 months)

(4) *Category F.* The Availability Classification Code must not exceed Code IV (more than 12 months)

(5) *Category G.* Reservists who fail to meet the prescribed standards for retention in all of the other categories and who have not completed their period of obligated Reserve service will be reassigned to the Ineligible Reserve Section wherein they will remain for a period of one year prior to becoming eligible for assignment to any other program element. Ineligible Reservists who complete their obligated Reserve service will be placed on the Inactive Status List, separated, or retired as appropriate. Ineligible Reservists may not participate in any training programs or point gaining activities. They will, however, continue to receive the gratuitous 15 points a year for being a Reservist.

§ 861.5 *Qualifications for Ready Reserve status—(a) General.* All personnel of the Air Force Reserve who do not qualify for Standby Reserve status (see § 861.6) or for Retired Reserve status (see § 861.8) will remain in the Ready Reserve subject to the provisions of this section. All individuals commissioned, appointed, or enlisted as members of the Air Force Reserve, or transferred thereto, will be in the Ready Reserve and will remain therein until they qualify, apply for and are redesignated Standby Reservists or are placed in the Retired Reserve.

(b) *Assignment.* Individuals of the Ready Reserve who qualify for, but who do not elect, Standby status will be relieved of assignment to program elements within Training Categories A, B, or C and will be assigned to the Nonaffiliated Reserve Section, or to the Ineligible Reserve Section, as appropriate,

unless the individual agrees in writing to accept or continue in an assignment to a unit or program of the Training Categories A, B, or C. Any member of the Standby Reserve may, at any time, request Ready Reserve status to qualify for an assignment to a program element of Training Categories listed in § 861.4. If the person is otherwise qualified for an existing position vacancy, such a request may be approved, provided further that the individual agrees in writing to accept such assignment. Acceptance of Ready Reserve status includes acceptance of vulnerability for involuntary active duty common to all Ready Reservists.

(c) *Agreements.* All agreements accomplished under this section will include a specified period of time which will be for not less than two nor more than five years. Agreements will become effective on the date of execution, or upon the date of assignment, whichever is later, and may be renewed at any time during the last ninety days of the specified period. If the individual is later relieved from his program element assignment, his Ready Reserve status will continue in effect until the agreement expires or is sooner terminated. Reasons which are sufficient to cause the release of the individual from his assignment are appropriate to be considered for termination of the agreement.

§ 861.6 *Qualifications for Standby Reserve status.* (a) All personnel of the Air Force Reserve are considered eligible for elective Standby Reserve status who have:

(1) Had 12 months of active military service between December 7, 1941, and September 2, 1945 and who, subsequent to June 25, 1950, served on active duty for at least 12 months.

(2) Completed not less than eight years' service as a member of a Reserve component since September 2, 1945.

(3) Completed a total of five years of active military service.

(b) Any individual who has served on extended active duty for any period of time may qualify for elective Standby status if he has satisfactorily participated in any accredited training program for a period which, when added to his period of active duty, totals not less than five years. In determining eligibility, satisfactory participation will include the following:

(1) Any period on or after January 1, 1953, during which the individual satisfactorily participates in a Reserve training program element in a Ready Reserve status.

(2) Any period between July 1, 1949, and January 1, 1953, during which the individual was assigned to, or enrolled in, any Reserve training program element (including the United States Air Force Extension Course Program) and fulfilled the minimum participation requirements prescribed therefor.

(3) All Reserve service completed prior to July 1, 1949.

§ 861.7 *Assignment and retention on the Inactive Status List.* Within the Standby Reserve an Inactive Status List will be maintained. This list will consist of Standby Reservists who have completed all required Reserve service and

who are unable or unwilling to participate in prescribed training. (See § 861.3 (b))

(a) *Criteria for membership in the Inactive Status List.* Membership in the Inactive Status List of the Standby Reserve will be confined to those individuals whose continued retention in the Air Force Reserve is determined to be in the best interests of the Air Force. The following individuals may be considered:

(1) Standby Reservists who, upon completion of the total obligated Reserve service under the provisions of law:

(i) Request such status, or who

(ii) Fail to meet participation standards within active training categories.

(2) Retired airmen who have accrued 20 years of active Federal service and who were placed in the Air Force Reserve until completion of 30 years of active and inactive Federal service (sec. 4, 59 Stat. 539; 10 U. S. C. 948) unless they elect to participate actively in a Reserve training program.

(3) Individuals who have completed 20 years of satisfactory Federal service who fail to meet participation standards within active training categories will not be placed on the Inactive Status List. They will be subject to separation unless assignment to the Retired Reserve is requested.

(b) *Retention criteria in the Inactive Status List.* The following criteria will apply with respect to retention of status within the Inactive Status List of the Standby Reserve. Standby Reservists who have completed the prescribed period of obligated Reserve service and have:

(1) Requested assignment to the Inactive Status List may request assignment to a program element of an active training category at any time within 12 months following their placement on the Inactive Status List. All remaining personnel will, after completion of 12 consecutive months following assignment thereto, be subject to separation action.

(2) Been assigned to the Inactive Status List for failure to meet participation requirements may not be assigned to a program element of an active Training Category until the completion of one year from date of assignment to the Inactive Status List. Such personnel may request reassignment to an active Training Category effective upon completion of one year of Inactive Status List service. Individuals who do not request reassignment will be subject to separation action at the discretion of the Air Force. Those Reservists who are reassigned to an active program element, and who are for the second time assigned to the Inactive Status List for reason of failure to participate, will not thereafter be eligible to become active and will be considered for separation.

§ 861.8 *Retired Reserve.* Membership in the Retired Reserve is confined to those individuals whose names have been placed on the United States Air Force Reserve Retired List. There are no retention standards for members of the Retired Reserve, nor can any individual whose name has been placed on the United States Air Force Reserve Retired List be again designated as a

Ready or Standby Reservist. Members of the Air Force Reserve will, upon application, be assigned to the Retired Reserve when:

(a) Retired or granted retirement pay under the provisions Title II and III Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 201-205 and 301-313, 62 Stat. 1084-1091, 10 U. S. C. 594, 943a, 971b, 1001-1007, 1036, 1036a-1)

(b) Retired for physical disability, either temporarily or permanently, pursuant to Title IV Career Compensation Act of 1949 as amended (secs. 401-415, 63 Stat. 816-825 as amended; 37 U. S. C. 271-285).

(c) Discharged for disability with severance pay under Title IV of the Career Compensation Act of 1949 as amended (secs. 401-415, 63 Stat. 816-825 as amended; 37 U. S. C. 271-285)

*Note:* Members of the Reserve components who have been discharged or retired under the provisions of the Career Compensation Act (63 Stat. 832; 37 U. S. C. 231-320), do not retain a Reserve status and therefore membership in the Retired Reserve is contingent upon reappointment or reenlistment in the Air Force Reserve.

(d) Found to be physically unfit for active duty other than as a result of their own misconduct, if they have completed eight or more years of "satisfactory Federal service" under the provisions of Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 301-313, 62 Stat. 1084-1091, 10 U. S. C. 1036, 1036a-1)

(e) Eligible for retirement under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 301-313, 62 Stat. 1084-1091, 10 U. S. C. 1036, 1036a-1), having completed 20 years or more satisfactory Federal service but have not yet attained age 60.

(f) Sixty years of age, if they have completed:

(1) Eight or more years of "satisfactory Federal service" under the provisions of Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 301-313, 62 Stat. 1084-1091, 10 U. S. C. 1036, 1036a-1) or;

(2) Twenty or more years of honorable active and/or Reserve service.

§ 861.9 *Credit for active and inactive duty participation.* Points will be awarded for active duty and for inactive duty training in accordance with the provisions of §§ 861.31 to 861.36.

(a) Minimum participation standards are prescribed in regulations appropriate to the program element of assignment. The commander of the unit of assignment is responsible for determining whether established minimum participation requirements have been met. He will initiate reassignment action as appropriate.

(b) For the purpose of determining whether minimum requirements have been met, gratuitous points granted under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 301-313, 62 Stat. 1084-1091, 10 U. S. C. 1036, 1036a-1) will be counted.

§ 861.10 *Minimum participation requirements.* (a) Failure to fulfill par-

ticipation requirements as otherwise prescribed for the unit or individual training program element to which the individual is assigned will result in the individual's being relieved from such assignment. A Reservist so relieved may be reassigned to a unit or individual training program of lesser participation requirements, if qualified and if he so requests. Otherwise, the individual will be assigned to the Ineligible Reserve Section.

(b) All Reservists in an active status in the Ready Reserve and Standby Reserve, except those individuals in the Ineligible Reserve Section of Category G, must accrue a minimum of thirty points annually regardless of the program element of assignment.

(c) Waivers, for failure to meet minimum participation standards, for Mobilization Designees and Nonaffiliated Reservists may be granted in exceptional cases by the Chief of Staff, United States Air Force, in the manner prescribed in regulations applicable to those program elements. However, waivers may be granted by the commanding general of the major command of assignment to Nonaffiliated Reservists who reside outside of the United States where Reserve training, including United States Air Force Extension Courses, is not available.

§ 861.11 *Age-in-grade criteria.* (a) There are no age-in-grade criteria for retention of status in program elements of Training Categories F and G, nor for retention of status in the Inactive Status List of the Standby Reserve, excepting the maximum of 60 for officers. There is no maximum age-in-grade for Air Force Reserve airmen. The following maximum age-in-grade criteria are established for assignment or retention in Training Categories A, B, C, D, and E.

- (1) Colonel—58.
- (2) Lieutenant Colonel—53.
- (3) Major—48.
- (4) Captain—42.
- (5) Lieutenant—36.

Colonels who reach age 58 while assigned to a Reserve unit or while possessing a Mobilization Assignment or Designation will not be reassigned solely because of age, but may continue in such an assignment until reaching age 60 if otherwise qualified for retention.

(b) Maximum age-in-grade provisions may be waived for successive one year periods until the officer has had an opportunity to qualify for and be considered for promotion. No waiver may be granted those individuals who have reached the maximum age-in-grade for the next higher grade or who have reached 60. All requests for waivers will be fully justified and are subject to approval by the major air command of assignment, or by the Continental Air Command numbered air force, in the case of individuals under the jurisdiction of ConAC. In addition, requests for successive waivers will indicate the reasons for the officer's failure to be considered for promotion during the previous waiver period. Copies of all waivers granted will be furnished the Continental Air Command numbered air force having custody of the individual's master personnel record.

(c) Upon completion of 20 years of satisfactory Federal service, those indi-

viduals who have reached age 60 may apply for retirement under the provisions of Part 865 of this chapter. The names of individuals with 20 or more years of satisfactory Federal service regardless of age may upon their application, be placed on the Reserve Retired List where they will become eligible for retirement pay upon reaching age 60.

§ 861.12 *Assignments within the Air Force Reserve.* Assignment and reassignments within or between units or program elements, and assignments to or from the Inactive Status List of the Standby Reserve, will be effected by Air Force Reserve orders. The designation of individual Ready, Standby, or Retired status will be reflected in all orders pertaining to each individual. Redesignation of the individual's status will be accomplished by Air Force Reserve orders whenever the individual accepts, or ceases to hold, Ready, Standby or Retired status.

(a) Individuals of the Ready or Standby Reserve who are determined by appropriate authority to be permanently physically disqualified may request Retired Reserve status and, if otherwise qualified, will be granted such status. An individual of this category who is not qualified for Retired Reserve status will be subject to separation action.

(b) Redesignation of Ready Reservists will be made when the individual requests such a redesignation and is qualified for:

- (1) Standby Reserve status in accordance with § 861.6, or
- (2) Retired Reserve status in accordance with § 861.8.

(c) Redesignation of Ready Reservists may be accomplished regardless of the individual's desire when the individual:

- (1) Has failed to participate satisfactorily in an active training program, and
- (2) Is qualified for Standby status but has failed to request such status.

(d) Redesignation of Standby Reservists will be accomplished when the individual meets any of the following requirements:

- (1) Is qualified for and requests assignment to a program element available only to members of the Ready Reserve.
- (2) Fails to maintain minimum participation standards established for retention in a program element.
- (3) Has acquired 20 years of satisfactory service prior to reaching age 60 and requests Retired Reserve Status.

(e) Reassignment from the Inactive Status List of the Standby Reserve may be made when the individual is qualified for:

- (1) And requests Retired Reserve status, or,
- (2) Assignment to an active program element and requests such an assignment: *Provided further* That an individual who has for the second time been assigned to the Inactive Status List for failure to maintain participation standards may not be reassigned to an active training program element.

(f) Reassignments within and between Air Force Reserve units or program elements will be effected when necessary to fill existing vacancies with fully qualified and available Reservists who volunteer for and indicate their willingness to ful-

fill the training standards and requirements of such assignments. Mandatory reassignments will be accomplished promptly when it has been determined that an individual no longer meets established age-in-grade criteria, physical or professional standards, or participation requirements established for the program element to which he is assigned.

§ 861.13 *Administration of the Air Force Reserve.* The Continental Air Command is charged with the responsibility of administering the various programs of the Air Force Reserve. That command will maintain the master personnel records of all Air Force Reservists not in the active military service except those of Reservists who have a retired status and those who hold general officer grade. Master personnel records of general officers and retired Reservists will be maintained by the Air Adjutant General, Headquarters United States Air Force. Continental Air Command will provide from Air Force Reserve resources, replacements for, or assignment to, vacancies in other major commands as required. The field personnel records of such individuals will be transferred to the gaining command concurrent with their assignment.

#### PROMOTIONS

§ 861.21 *Purpose.* Sections 861.21 to 861.27 prescribe general policies and procedures for the promotion in the Reserve of the Air Force of officer members of the Air Force Reserve to grades below that of brigadier general. Sections 861.21 to 861.27 also outline procedures whereby officer members of the Air National Guard of the United States serving in the active military service in a temporary United States Air Force grade higher than their permanent Reserve grade may apply for promotion in the Reserve of the Air Force (Air National Guard of the United States)

§ 861.22 *Definitions.* For the purpose of §§ 861.21 to 861.27, the following definitions apply:

(a) *Active status.* Status of an officer who is not on the Inactive Status List or on a retired list.

(b) *Promotion service.* Commissioned service in an active status in the Reserve of the Air Force and all periods of commissioned service in any of the services of the Armed Forces of the United States, exclusive of time spent in the inactive Air National Guard, inactive National Guard on an Inactive Status List, on a retired list, or any status wherein directives prohibit promotion credit. Promotion service for medical services officers and chaplains is only that service rendered in medical service and chaplain positions respectively.

(c) *Promotion.* Advancement to a higher permanent grade in the Reserve of the Air Force.

§ 861.23 *Authority to effect promotions—(a) By whom effected.* Promotion of officers of the Air Force Reserve is by direction of the President and will be effected by the following commanders:

(1) By commander of major air commands for those officers in the active military service.

(2) By the commander of the appropriate numbered air force of Continental Air Command for those officers not in the active military service.

(b) *Delegating authority.* This authority will not be delegated without prior approval from Headquarters United States Air Force.

§ 861.24 *Requirements for promotion—(a) Officers not in the active military service.* To be promoted to the next higher permanent grade, each officer of the Air Force Reserve will:

- (1) Be in an active status.
- (2) Occupy an authorized position vacancy of the higher grade as set forth in Table of Organization, Table of Distribution, or other authorized manning documents applicable to the Air Force Reserve. Promotion to the grade of first lieutenant does not require a position vacancy.
- (3) Be recommended by immediate commanding officer.
- (4) Complete the following minimum years of promotion service in an equivalent or higher grade:

From—	To—	Effective until Apr. 30, 1953	Effective May 1, 1953
		Years	Years
Second lieutenant	First lieutenant	3	3
First lieutenant	Captain	4	4
Captain	Major	5	6
Major	Lieutenant colonel	5	6
Lieutenant colonel	Colonel	4	4

(b) *Officer in a temporary United States Air Force grade higher than his permanent grade.* (1) In place of the requirements set forth in paragraph (a) (1) (2) and (3) of this section, except for United States Air Force "spot" appointment and those officers released from active military service for cause, an officer of the Air Force Reserve serving in active military service in a temporary United States Air Force grade higher than his permanent grade or who at time of release from active military service subsequent to June 26, 1950, is serving in a temporary United States Air Force grade higher than his permanent grade will, upon his application, be permanently promoted to that grade subject to the completion of the cumulative years of promotion service as prescribed below. Promotion service will be computed from date of appointment in current permanent grade preceded by any promotion service in an equivalent or higher grade prior to such date:

Permanent grade held	Cumulative years of promotion service for promotion to—				
	First lieutenant	Captain	Major	Lieutenant colonel	Colonel
Second lieutenant	3	5	9	13	16
First lieutenant	2	6	10	13	17
Captain		4	8	11	14
Major			4	7	10
Lieutenant colonel				3	6

(2) In determining date of appointment in current permanent grade, any promotions effected under Message AFPM-4 AM-9033, April 18, 1952, may be disregarded in computing promotion service as prescribed in this section.

(3) Officers may be promoted more than one grade above their current permanent Reserve grade but in any event an officer will not be promoted to a permanent grade higher than his temporary grade referred to in subparagraph (1) of this paragraph.

(c) *Female Air Force Reserve officer.* A female Air Force Reserve officer designated as a woman medical specialist may not be promoted to a grade above major. A female Air Force Reserve officer other than a woman medical specialist may not be promoted to a grade above lieutenant colonel; except that the Director, Women in the Air Force, if qualified may be promoted to the grade of colonel upon release from active military service if not holding an appointment in the Regular Air Force or retired as a Regular Air Force officer.

§ 861.25 *Air Force Reserve selection boards—(a) Appointment.* Reserve selection boards will be appointed by the commanders of the major air commands concerned or the Continental Air Command numbered air forces, as appropriate, in such numbers and at such locations as these commanders consider necessary. Meetings of Reserve selection boards will be held at such time and place as may be directed by commanders of the major air commands or the Continental Air Command numbered air forces concerned, as appropriate.

(b) *Composition.* Reserve selection boards will be composed of an uneven number of officers not less than three as follows:

(1) Board members will be senior in grade to the person being considered for promotion.

(2) Officers of any component in active military service and Air Force Reserve officers not in active military service are eligible for membership on these boards.

(3) A majority of the voting members will, to the extent practicable, be officers of the Air Force Reserve and the entire board may be composed of officers of the Air Force Reserve.

(4) At least one officer will be a rated officer for boards considering rated officers for promotion.

(5) If practicable, at least one member should be qualified in the particular specialty of the officer being considered.

(6) Boards considering a chaplain, an officer in the Medical Service, United States Air Force, or a judge advocate will have at least one member who is a chaplain, medical officer, or a judge advocate, as appropriate.

(7) Prior consent of an Air Force Reserve officer not in active military service will be obtained before appointment as a member of a Reserve selection board.

(c) *Procedure.* (1) A Reserve selection board will select and recommend only those officers considered by the board to be fully qualified for promotion to the next higher permanent grade in the Reserve of the Air Force.

(2) Each officer who is appointed a member of a Reserve selection board will swear or affirm that he will, without prejudice or partiality, and, having in view both the special fitness of officers and the efficiency of the Air Force, perform the duties imposed upon him as a member of such board. A majority of the total membership of any Reserve selection board must concur in each recommendation made by the board.

(d) *Findings.* (1) A Reserve selection board will submit its findings directly to the appointing authority.

(2) The findings of the board will be regarded as confidential.

§ 861.26 *Promotion procedure—(a) For officers not in the active military service.* (1) Recommendations for promotion will be forwarded through channels to the commander of the major air command or the Continental Air Command numbered air force concerned.

(2) The commander concerned will refer all recommendations to the appropriate Reserve selection board.

(3) The commander concerned will approve or disapprove the findings of the board.

(4) Approved recommendations and findings will be forwarded to the commander of the Continental Air Command numbered air force having custody of the master personnel record of the officer concerned and will indicate that each officer recommended:

(i) Fulfills all requirements of §§ 861.21 to 861.27.

(ii) Is assigned to his command.

(iii) Was selected and recommended for promotion by a Reserve selection board.

(5) The commander of the Continental Air Command numbered air force concerned will, if no derogatory information is contained in the record of the officer selected and recommended, promote such officer to the permanent grade for which recommended.

(6) If derogatory information is contained in the record of the officer concerned, which, in the opinion of the commander of the Continental Air Command numbered air force, is of sufficient importance to preclude promotion to the grade for which recommended, the case will be referred to the Director of Military Personnel, Headquarters United States Air Force, Washington 25, D. C.

(7) Recommendations for promotion disapproved by the commander of the major air command or the Continental Air Command numbered air force concerned will be returned through channels to the initiating office.

(8) An officer eligible for promotion under § 861.24 (b) will, upon his application, through channels, to the commander of the Continental Air Command numbered air force concerned, be promoted to the appropriate higher permanent grade. Such promotions will be accomplished without board action.

(b) *For officers in active military service.* Officers eligible for promotion under § 861.24 (b) will upon application, through channels, to the commander of the major air command concerned, be promoted to the appropriate higher permanent grade. Headquarters United



States Air Force will effect such promotions for officers not assigned to a major air command upon their application, through channels, to the Director of Military Personnel, Headquarters United States Air Force, Attention: Promotions and Separations Division, Washington 25, D. C.

(c) *Orders.* Promotion of Air Force Reserve officers in active military service will be effected by special orders and for officers not in active military service, by Air Force Reserve orders. Such promotions constitute new appointments in the Reserve of the Air Force for an indefinite term. An oath of office or acceptance is not necessary as an officer promoted to a higher grade is considered for all purposes to have accepted the promotion upon the date of the order announcing the same, unless he expressly declines the promotion. (56 Stat. 787, 10 U. S. C. 588)

§ 861.27 *Members of the Air National Guard of the United States in active military service.* Officers of the Air National Guard of the United States in the active military service who meet the requirements for promotion under § 861.24 (b) may apply for such promotion in the following manner:

(a) Application for Federal recognition and promotion accompanied by an extract true copy of the Air Force order effecting promotion to the higher temporary United States Air Force grade will be initiated by the officer concerned directly to the Adjutant General of the appropriate State, Territory or the District of Columbia. Approved applications will be appropriately indorsed by the Adjutant General and forwarded to the Chief, National Guard Bureau. Supporting papers to accompany approved applications are as follows:

(1) State, Territory, or District of Columbia order effecting appointment of the officer concerned in the higher grade. Such order must contain a statement substantially as follows: "Officer may be examined by any duly appointed Federal recognition board."

(2) An extract true copy of the order effecting promotion of the officer concerned to the higher temporary United States Air Force grade.

(b) Approved applications will be considered by a Federal recognition board appointed in the National Guard Bureau and the officer will be notified of final action.

#### POINT-GAINING ACTIVITIES FOR AIR FORCE RESERVISTS

§ 861.31 *Purpose and policy—(a) Purpose.* Sections 861.31 to 861.36 establish the basis and standards for earning and awarding points for retirement benefits for officers and airmen of the Air Force Reserve under the Army and Air Force Vitalization and Retirement Equalization Act of 1948 (secs. 301-313, 62 Stat. 1084-1091, 10 U. S. C. 1036, 1036a-1) Sections 861.31 to 861.36 apply to all Reservists in an active status.

(b) *Policy—(1) Active Air Force Reserve program elements.* Points required to meet participation requirements in the several active Air Force Reserve program elements, for example,

combat training wings, flying training wings, combat support training wings, mobilization assignment Reserve section, specialist training units, Volunteer Air Reserve training units, mobilization designation Reserve section, and non-affiliated Reserve section will be awarded on the same basis as the points awarded for retirement purposes.

(2) *Persons assigned to Ineligible Reserve Section, on Inactive Status List, or in Retired Reserve.* Persons who are assigned to the Ineligible Reserve Section may not participate in point-gaining activities, but will be awarded 15 gratuitous points annually for Reserve membership. Persons who are on the Inactive Status List of the Standby Reserve or in the Retired Reserve are not eligible for the award of points.

(3) *Pay status.* Points may be earned pursuant to § 861.33 whether or not the persons are in a pay status, except that persons earning points under § 861.33 (h) must be in an inactive duty training pay status.

(4) *Reserve personnel of other services.* Reserve personnel of other services attached for duty with the Air Force Reserve will be governed by appropriate regulations of their respective service.

(5) *Simultaneous participation in more than one activity.* Sections 861.31 to 861.36 will not be interpreted as permitting simultaneous participation in more than one activity for point-gaining purposes. For example, if points are being credited for attendance at a unit training assembly, points will not be credited for flying time accomplished in connection with such assembly.

§ 861.32 *Definitions.* For the purpose of §§ 861.31 to 861.36, the following definitions apply:

(a) *Point.* The unit of measurement which is recorded in appropriate forms to reflect the activities or status of qualified persons of the Air Force Reserve. The activities for which points are awarded are specifically stated in §§ 861.31 to 861.36.

(b) *Active military service.* Full-time duty with the active establishment, either extended active duty or active duty for training. The terms "active military service" and "active duty" are synonymous.

(c) *Active duty for training.* Full-time duty with the active establishment for training.

(d) *Inactive duty training.* A period of training, instruction duty appropriate duties, or equivalent training, including hazardous duty, which has been authorized by competent authority and performed with or without compensation by a member of the Air Force Reserve. (These periods of duty are performed while not on active duty or on active duty for training.) Inactive duty training also includes authorized additional duties performed in connection with the prescribed training and maintenance activities of the unit to which the person is assigned or for studies in connection with the completion of United States Air Force extension courses.

(e) *Training period.* A duly authorized period of instruction performed by persons which is not in conjunction with

the Table of Organization or Table of Distribution unit training. Such training periods will be of at least two and normally four hours in duration provided that two training periods if conducted within one calendar day must total at least eight hours.

(f) *Unit training assembly.* A duly authorized and scheduled period of instruction conducted by Table of Organization and Table of Distribution units. Such unit training assemblies will be of at least two and normally four hours in duration provided that two training assemblies if conducted within one calendar day must total at least eight hours.

(g) *Period of equivalent training or instruction.* Attendance at, or participation in, any one of the following activities for a continuous period of not less than two and normally four hours:

(1) Supervised training on an inactive duty status with units or activities of the active establishments of the Armed Forces, when such training is specifically authorized by competent authority and when the character of the training is such as to result in increased military proficiency of the person concerned, and when satisfactory participation is certified by the commanding officer of the Regular unit or activity concerned.

(2) Training on inactive duty status with units of the Army, Navy, Marine Corps, or Coast Guard Reserve under the conditions specified in subparagraph (1) of this paragraph.

(3) Flight training performed by rated personnel in military aircraft when such flight training is accomplished in accordance with published minimum proficiency standards for the Reserve program element to which assigned provided that such training is not conducted as part of any other point-gaining activity specified herein.

(4) Attendance at training assemblies of military personnel, other than unit training assemblies, when such training assemblies are pursuant to an approved course of training or are specifically authorized by competent authority.

(5) Duties performed by medical and dental personnel for the accomplishment of the following:

(i) A minimum of two authorized physical examinations for flying or three general physical examinations for personnel of any component of the United States Armed Forces or for enlistment or appointment therein.

(ii) A minimum number of the following types of authorized dental examinations for personnel of any component of the United States Armed Forces or for enlistment or appointment therein. A pro rata combination of various types of examinations is authorized:

(a) Three type 1 examinations.

(b) Six type 2 examinations (Standard Form 88, "Report of Medical Examination," is included in this type only when X-rays are taken)

(c) Eight type 3 examinations (SF 88 is included in this type when X-rays are not taken)

(d) Sixty type 4 examinations.

(iii) A minimum of 12 authorized inoculations.



(6) Duties performed in operation of Military Amateur Radio System supervised network drills.

(7) Instructor duties at Civil Air Patrol and Air Explorer assemblies and with Ground Observer Corps groups pursuant to an authorized course of instruction when such duty is authorized by competent authority.

(h) *Period of equivalent duty or appropriate duties.* Accomplishment of any one of the following duties, while on an inactive duty status, for a continuous period of not less than two and normally of four hours:

(1) Duties performed under the jurisdiction of the Selective Service System when such duty is approved by competent authority and is certified by the Director of Selective Service or by his duly authorized military representative that the performance of such duty was satisfactory.

(2) Duty relating to procurement planning and industrial mobilization when certified as satisfactorily performed by the commander of the appropriate major air command, Chief of Staff, United States Air Force, Joint Chiefs of Staff, or Department of Defense agency under whose jurisdiction the work is performed.

(3) Recruiting duty when authorized by competent military authority and participation is certified as satisfactory by an authorized military representative of the recruiting service.

(4) Duty in connection with the planning supervision of training, administration and supply of the Reserve Forces, including administration and liaison duties with Civil Air Patrol, when such duty is authorized by competent authority and satisfactory accomplishment is certified by the officer under whose jurisdiction such duty was performed and, under similar conditions, other duties which may be authorized from time to time by the Department of the Air Force.

(i) *Competent authority.* Any authority designated by the Chief of Staff, United States Air Force. This authority may be delegated to subordinate commanders.

(j) *Active status.* The status of all Reservists except those Reservists on the Inactive Status List of the Standby Reserve and in the Retired Reserve.

§ 861.33 *Table of active and inactive duty points.* Persons of the Air Force Reserve will be awarded points as follows:

(a) Fifteen points for each year of membership in the Reserve of the Air Force.

(b) One point for attendance at an authorized unit training assembly.

(c) One point for each day of active duty, including extended active duty and active duty training.

(d) One point for accomplishment of an authorized training period.

(e) One point for participation in a period of equivalent training or instruction.

(f) One point for accomplishment of a period of equivalent duty or appropriate duties.

(g) One point for each three hours of extension courses satisfactorily completed. Points will be awarded to officers only for the completion of courses above precommissioning and indoctrination level.

(h) One point for each four hours of flying time performed in military aircraft by rated personnel and recorded on the person's AF Form 5 or 5A, "Individual Flight Record," when such flying time is accomplished pursuant to published minimum proficiency requirements for the Reserve program element to which the person is assigned. Flying time credited as a point-gaining activity for the purpose of §§ 861.31 to 861.36 need not be accomplished in a continuous or within any specified period of time and will be cumulative.

(i) One point for duty as instructor at:

(1) Authorized unit training assemblies.

(2) Authorized unit schools.

(3) Authorized assemblies of military personnel other than unit training assemblies.

(4) Air Force Reserve Officers' Training Corps, Army Reserve Officers' Training Corps, or Naval Reserve Officers' Training Corps classes.

(5) Civil Air Patrol or Air Explorer assemblies and with Ground Observer Corps groups pursuant to an authorized course of instruction, when such duty is ordered by competent authority.

NOTE: A person will not be credited for instructional duty accomplished at an assembly for which he is being credited with attendance. This restriction will not affect credit for preparation.

(j) One point for preparation of each hour of instruction, but not to exceed two points for preparation of any one instruction period. If the subject is presented more than once, additional points will not be credited for subsequent preparation.

(k) Not more than one point will be credited to a person for participation in, or accomplishment of, within any one calendar day, any of the above point-gaining activities, unless the total or aggregate duration of such participation or accomplishment is at least eight hours. For the purpose of complying with this provision, points earned in accordance with paragraphs (g) and (j) of this section will be credited on days other than those on which credit is given for other types of point-gaining activities.

§ 861.34 *Limitations and minimum standards—(a) Limitations.* Points are awarded under §§ 861.31 to 861.36 to provide an inducement or incentive for members of the Reserve to participate in the various Reserve programs. These credits accrue towards retirement benefits as compensation for time and effort spent in maintaining proficiency in a military skill. The fact that a Reservist through his civilian pursuits may maintain proficiency in a military skill is incidental and does not imply sacrifice on the part of the person.

(b) *Minimum standards.* To qualify for the award of points for participation in any type of inactive duty training, the duty must:

(1) Be performed in the person's capacity as a Reservist and with a view toward enhancing his mobilization potential.

(2) Require an outlay of time and effort beyond that required in the normal course of his civilian occupation.

(3) Have been authorized by competent authority prior to commencement of the training.

(4) Be performed without remuneration other than pay as a member of the Air Force Reserve.

(5) Demonstrably improve the person's fitness to perform his prospective mobilization duties or similarly improve the fitness of others.

(6) Be controlled and/or supervised by the military.

§ 861.35 *Basis for award and supporting evidence.* The basic Air Force form on which points will be recorded is AF Form 190, "United States Air Force Reserve Personnel Record Card." Entries will not be made in individual AF Forms 190 which are not supported by one or more of the following properly authenticated documents:

(a) AF Form 40, "Authorization for Inactive Duty Training" For credit for inactive duty training.

(b) AF Form 5 or 5A. For credit for flying time.

(c) *Certification of completion.* For credit for extension courses.

(d) *Active duty orders (special orders or Air Force Reserve orders) and DD Form 214, "Report of Separation from the Armed Forces of the United States"* For credit for active duty.

(e) DA AGO Form 66, "Officer's, Warrent Officer's, and Flight Officer's Qualification Record" For 15 (gratuitous) membership points annually for commissioned personnel.

(f) WD AGO Form 24A or DD Form 230, "Service Record" For 15 (gratuitous) points annually for enlisted personnel.

§ 861.36 *Maximum credit—(a) For inactive duty training.* Not more than 60 points for inactive duty training may be credited for retirement purposes during any one year.

(b) *For active duty or combined active duty or inactive duty training.* Not more than 365 points (366 during leap years) for active duty or a combination of active duty and inactive duty training may be credited for retirement purposes during any one year.

(c) *Gratuitous points.* Fifteen gratuitous points will be awarded annually, as authorized: *Provided*, That the totals established in paragraphs (a) and (b) of this section, are not exceed.

(d) *For purposes other than retirement.* Sections 861.31 to 861.36 do not limit the number of points a person may be awarded for purposes other than retirement for participation in authorized training activities.

#### MOBILIZATION AND TRAINING

Sec.	
861.1601	General.
861.1602	Definitions.
861.1603	Mobilization assignment.
861.1604	Mobilization designation.
861.1605	Training attachments.

- Sec.  
 861.1006 Requests for mobilization assignment or designation.  
 861.1007 Requisitioning Air Force Reserve personnel.  
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## INACTIVE DUTY TRAINING PAY AND ALLOWANCES

- 861.1101 Purpose and policy.  
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 861.1104 Mobilization assignees.  
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 861.1106 Table of organization and table of distribution units.  
 861.1107 Maximum number of paid training periods or unit training assemblies.  
 861.1108 Week-end training.  
 861.1109 Flying pay.  
 861.1110 Authorized equivalent duties.  
 861.1111 Administrative function pay.  
 861.1112 Training without remuneration.  
 861.1113 Waiver of pension, retirement pay, disability compensation, and other emoluments.

**AUTHORITY:** §§ 861.1001 to 861.1113 issued under sec. 251, 66 Stat. 495; 50 U. S. C. 1002. Interpret or apply secs. 101-259, 601-603, 66 Stat. 481-498, 501; 50 U. S. C. 901-1010, 1091-1093. Other statutory provisions interpreted or applied are cited to text.

**DERIVATION:** AFR's 36-68, 45-15, 45-3, 45-10, 45-5.

## MOBILIZATION AND TRAINING

§ 861.1001 *General.* Sections 861.1001 to 861.1009 establish procedures for the assignment or designation of Air Force Reserve officers below the grade of brigadier general and airmen to specific mobilization positions. The total mobilization positions to be filled by Air Force Reserve personnel will be established by Headquarters United States Air Force for each major air command, based on mobilization requirements, the training capacity of the commands, and the availability of qualified Reservists. Mobilization positions will be filled by mobilization assignees and mobilization designees. The number of persons holding mobilization assignments to mobilization positions will also be limited by the funds available for inactive duty training pay. All remaining mobilization positions may be filled by mobilization designees.

§ 861.1002 *Definitions.*—(a) *Mobilization positions.* Additional military personnel authorizations required to be filled in Air Force commands and activities in the event of full and/or partial mobilization. A mobilization position is filled by either a mobilization assignee or mobilization designee.

(b) *Mobilization assignee.* An Air Force Reserve officer or airman not on extended active duty who requires regular and frequent training to attain or retain proficiency in his mobilization position. Such persons are members of the Ready Reserve and are eligible for inactive duty training pay and authorized active duty training.

(c) *Mobilization designee.* An Air Force Reserve officer or airman not on extended active duty who, by virtue of previous military experience and/or the similarity of his civilian occupation to his duty Air Force Specialty Code, is capable of filling a mobilization position

with a minimum of training. Such persons may be members of the Ready or the Standby Reserve. A mobilization designee is not eligible for inactive duty training pay, but is eligible for active duty training subject to the availability of funds.

(d) *Training attachment.* The attachment, for training purposes only, of an Air Force Reserve officer or airman having a mobilization assignment or designation, to an appropriate unit or activity of the Regular Air Force, Air Force Reserve, or the Air National Guard of the United States (subject to the approval of the Air National Guard of the United States unit commander concerned) other than the unit or activity with which the mobilization position is held.

§ 861.1003 *Mobilization assignment.*—(a) *Eligibility.* (1) A mobilization assignment may be given to a qualified member of the Air Force Reserve not on extended active duty who volunteers for such assignment: *Provided, That:*

(i) The person holds the Availability Classification Code necessary for assignment to this Ready Reserve program element as established in §§ 861.1 to 861.13, or accepts award of the appropriate code.

(ii) The person signifies in writing, his willingness to accept such assignment.

(2) In addition, Standby Reservists and Ready Reservists, who are eligible to elect Standby status must accomplish a signed statement accepting or retaining Ready Reserve status for a period of two to five years, the period selected being contingent upon the desires of the person.

(b) *Ineligibility.* (1) A mobilization assignment will not be given to a person who is a civilian employee of the Department of Defense or any of its agencies or military departments. Such persons may be given mobilization designations.

(2) Mobilization assignments will not be given to Reserve officers serving in the Regular Air Force as airmen or warrant officers.

§ 861.1004 *Mobilization designation.*—(a) *Eligibility.* (1) A mobilization designation may be given to a qualified member of the Air Force Reserve not on extended active duty who volunteers for such assignment.

(2) A mobilization designation may be given to a qualified person who is either unwilling to accept a Ready Reserve mobilization assignment, or for whom an assignee vacancy does not exist.

(3) Such persons must meet the criteria for assignment to the Mobilization Designation Reserve Section of Training Category D, as established in §§ 861.1 to 861.13 and must signify, in writing, willingness to accept such assignment.

(b) *Ineligibility.* A mobilization designation will not be given to Reserve officers serving in the Regular Air Force as airmen or warrant officers.

(c) *Rotation of mobilization assignees and designees.* Persons filling mobilization positions will not be rotated between assignee and designee status to

permit additional personnel to receive inactive duty training pay.

§ 861.1005 *Training attachments.*—(a) *Mobilization assignees.* Commanders of major air commands will insure that training attachments for mobilization assignees are made when distance or other reasons prevent participation in training at the place of mobilization assignment.

(b) *Restrictions.* (1) Mobilization assignees will not be given training attachments to units or activities not capable of providing adequate and effective training in their mobilization assignment capacities. If a person is unable to participate in training at his place of mobilization assignment, and a suitable training attachment cannot be provided, a mobilization assignment will not be made.

(2) Mobilization assignees may not be given inactive duty training attachments with Volunteer Air Reserve training units.

(c) *Mobilization designees.* (1) A mobilization designee may be given a training attachment when distance or other reasons prevent participation in training at the place of mobilization designation.

(2) A mobilization designee may receive inactive duty training with a Volunteer Air Reserve training unit, with the consent of the unit commander and the commander of the activity with which the person holds a designation.

§ 861.1006 *Requests for mobilization assignment or designation.*—(a) *Specific requests.* An individual Reservist desiring a mobilization assignment or designation may request the assignment or designation by military letter to the headquarters of the major air command concerned. Letters of applicants not selected will be returned to the appropriate numbered air force. The numbered air force will notify these persons of their nonselection.

(b) *Nonspecific requests.* A person who desires to request a mobilization assignment or designation without specifying the major air command of assignment may submit his letter application to the numbered air force or Air Force Reserve district having administrative jurisdiction over the geographical area in which the person resides. These letter applications will be used by the numbered air forces in filling the requisitions referred to in § 861.1007.

(c) *Limiting requests.* Individual requests for a mobilization assignment or designation will not be submitted to more than one command at a time.

§ 861.1007 *Requisitioning Air Force Reserve personnel.* (a) Major air commands will requisition from the appropriate Continental Air Command numbered air force, Reserve personnel by grade and Air Force Specialty Code to fill mobilization positions for which applicants are not available (see § 861.1006). The numbered air force will provide career summaries on qualified personnel. Based upon the career summaries, major air commands will select persons desired for mobilization assignment or designation, and contact them directly regarding

such assignment. Major air commands will request the numbered air force having jurisdiction over selected persons whose applications are accepted to issue appropriate assignment orders, inclosing a copy of the application for assignment for placement in the person's master personnel record. Career summaries on persons not desired for assignment will be returned to the numbered air force with a remark to that effect.

(b) Major air commands desiring the assignment of persons known by name may request the appropriate numbered air force to furnish career summaries on such personnel prior to corresponding with the person regarding assignment.

§ 861.1008 *Relief from assignment or designation.* (a) In the event an officer or airman is found to be surplus or unsuitable for a mobilization assignment or designation, the major air command concerned, other than Continental Air Command, will issue appropriate orders relieving the officer or airman from mobilization assignment or designation and from assignment to the command, and will reassign the officer or airman for administrative control to the appropriate Continental Air Command numbered air force having jurisdiction over the area in which the officer or airman resides.

(b) A member of the Air Force Reserve ordered into the active military service who holds a mobilization position will be relieved of such position.

§ 861.1009 *Training*—(a) *Inactive duty training with activity in which assignment is held.* Whenever practicable, a person having a mobilization assignment or designation will accomplish inactive duty training with the unit or activity with which such mobilization assignment or designation is held.

(b) *Inactive duty training with other activities.* A Reservist having a mobilization assignment or designation to a unit or activity with which it is not practicable for the person to participate in inactive duty training may be attached to another activity or unit for training. (See § 861.1005)

(c) *Training requirements for mobilization assignees.* Twenty-four paid inactive duty training periods will be made available annually, and persons will be encouraged to participate in such training to the maximum in order to attain the individual proficiency which is desired.

(1) Mobilization assignees will be required to participate in a minimum of six inactive duty training periods each quarter.

(2) Mobilization assignees will be required to perform a normal fifteen day active duty tour each fiscal year. Any special tour or short tour for school training of 15 or more days is acceptable in place of this requirement. This requirement becomes effective July 1, 1953.

(3) Tours of active duty during a quarter may be credited toward the training period requirement for that quarter on the basis of one day of active duty equal to one training period.

(4) Mobilization assignees who fail to accomplish the minimum number of training periods a quarter or, subsequent

to July 1, 1953, the fiscal year active duty training requirement, will be relieved of assignment.

(d) *Active duty training of mobilization assignees.* Active duty training of mobilization assignees normally will be accomplished with the unit or activity of assignment or active duty training may be accomplished with the unit or activity to which attached for training. In exceptional instances only, where it is considered that better training can be afforded the person, an assignee may accomplish such training with other Regular Air Force, Ready Reserve Training Category A, or Air National Guard of the United States units or activities not further distant from the place where he is currently residing than his unit or activity of assignment.

(e) *Waivers of training requirements for mobilization assignees.* (1) In exceptional instances only, and upon written request of the person concerned, major air commands may waive the quarterly training requirement once in any fiscal year.

(2) On the basis of personal hardship only and upon the written request of the person concerned, major air commands may excuse a person from meeting the active duty training requirement once in any three-year period.

(3) A person will not be excused from the active duty training requirement and receive a quarterly inactive duty training waiver in the same fiscal year.

(4) This authority may be further delegated to subordinate air commands such as numbered air forces of Continental Air Command, Eastern Air Defense Force of the Air Defense Command, and so forth.

(f) *Training requirements for mobilization designees.* Mobilization designees must participate in authorized training activities to the extent of accruing a minimum of 30 points annually. The 15 gratuitous points granted annually for being a member of the active Reserve and points awarded for active duty will be counted toward meeting this requirement.

(g) *Active duty training of mobilization designees.* Active duty training performed by mobilization designees will be accomplished in accordance with paragraph (d) of this section.

(h) *Waivers of training requirements for mobilization designees.* Minimum participation requirements may be waived for mobilization designees whose civilian occupations are so directly allied with the duty Air Force Specialty Codes of the mobilization positions for which they have been designated that proficiency is considered to be retained by virtue of the civilian occupation. Individual applications for waivers will be submitted by military letter, through channels, to the Director of Training, Headquarters United States Air Force, Washington 25, D. C. Such letters will include a complete description of the person's civilian occupation.

(i) *Responsibility for training for proficiency.* The training of a person for proficiency in his mobilization assignment or mobilization designation will be the responsibility of the major air com-

mand in which such mobilization assignment or designation is held.

#### INACTIVE DUTY TRAINING PAY AND ALLOWANCES

§ 861.1101 *Purpose and policy*—(a) *Purpose.* Sections 861.1101 to 861.1113 set forth the eligibility and requirements whereby personnel of the Air Force Reserve may be compensated for the performance of inactive duty training under the Career Compensation Act of 1949 (63 Stat. 892; 37 U. S. C. 231-320).

(b) *Policy*—(1) *Ready Reservists.* Ready Reservists assigned to program elements within Training Categories A and B are eligible to receive inactive duty training pay.

(2) *Payment on a quarterly basis.* Eligible personnel will be paid on a quarterly basis to the extent provided for by appropriations for this purpose.

(3) *Assignments for which pay may be received.* To the extent of available funds, Ready Reservists in the following types of assignments are eligible to receive inactive duty training pay:

(i) Personnel who have mobilization assignments.

(ii) Personnel who are assigned to specialist training units provided that they have executed a signed statement to the effect that they will not request a delay in excess of 90 days if ordered into active military service.

(iii) Personnel who are assigned to Air Force Reserve combat, combat support, and flying training wings and units.

(4) *Uniform.* As a prerequisite to be eligible to receive inactive duty training pay, personnel referred to in subparagraph (3) of this paragraph will wear the proper uniform while participating in training for which pay is authorized.

(5) *Participation in more than one training period.* Participation in more than one training period or unit training assembly in any calendar day will not be authorized for pay purposes unless the total or aggregate duration of such participation is at least eight hours. When such participation is of at least eight hours duration, not more than two training periods or unit training assemblies may be authorized in any one day for pay purposes.

§ 861.1102 *Definitions*—(a) *Training period.* A duly authorized and scheduled period of instruction performed by a person with a mobilization assignment. Such training periods will be of at least two hours duration and normally will be of four hours duration. This term will include authorized attendance at a scheduled class of instruction of not less than two hours duration under the contract school training program.

(b) *Unit training assembly.* A duly authorized and scheduled period of instruction conducted by an Air Force Reserve Table of Organization or Table of Distribution unit. Such unit training assemblies will be of at least two hours duration and normally will be of four hours duration.

(c) *Competent authority.* Chief of Staff, United States Air Force, and commanders of major air commands. This

authority may be redelegated to subordinate commanders.

(d) *Inactive duty.* Duty performed by personnel of the Air Force Reserve not on active duty pursuant to their military functions and responsibilities. Such duty must be authorized by competent orders.

(e) *Inactive duty training pay.* Payment under the Career Compensation Act of 1949 (63 Stat. 802; 37 U. S. C. 231-320) for duty performed by members of the Air Force Reserve not on active duty. This inactive duty training pay includes training through participation in training periods and unit training assemblies or the performance of equivalent duties in place of attendance at a unit training assembly.

(f) *Equivalent duty.* Those periods of duty performed by members of the Air Force Reserve in place of attendance at a unit training assembly, as authorized in § 861.11.

(g) *Assigned strength.* The total of all personnel, officer and airmen, on the rolls of a unit.

(h) *Adjusted strength.* The strength of a unit (officers and airmen) after the number of personnel who are absent under competent authority have been deducted from the actual assigned strength.

§ 861.1103 *Methods of qualifying—(a) Airmen.* Airmen of the Air Force Reserve will be eligible for inactive duty training pay when pursuant to competent orders authorizing inactive duty training pay:

(1) They are physically present and perform duties during a duly authorized unit training assembly of the unit to which assigned, or

(2) They perform equivalent duties pursuant to competent orders, within 30 days immediately following the date of the authorized unit training assembly of the unit to which assigned, and for which equivalent duty has been authorized in place of attendance thereat.

(b) *Officers.* Officers of the Air Force Reserve will be eligible for inactive duty training pay when pursuant to competent orders authorizing inactive duty training pay:

(1) They are physically present and perform duties during a duly authorized unit training assembly of the unit to which assigned, and at which at least 60 percent of the adjusted strength of the unit was present, or

(2) They perform equivalent duties pursuant to competent orders, within 30 days immediately following the date of the authorized unit training assembly of the unit to which assigned, and for which equivalent duty has been authorized in place of attendance: *Provided,* That at least 60 percent of the adjusted strength of the unit was physically present for the unit training assembly for which equivalent duty has been authorized in place of attendance thereat.

(c) *Officers and airmen who hold mobilization assignments.* Officers and airmen of the Air Force Reserve who hold mobilization assignments are eligible for inactive duty training pay when pursuant to competent orders authorizing inactive duty training pay they are phys-

ically present and perform duties at a duly authorized training period.

(d) *Officers and airmen enrolled under contract school training program.* Officers and airmen holding Reserve assignments in an inactive duty training pay status who are enrolled in a course of instruction under the contract school training program are authorized inactive duty pay for attendance at each scheduled class of instruction. The combined total of such classes attended and other training periods or unit training assemblies attended for pay purposes, however, will not exceed the total number authorized for the training category to which assigned.

§ 861.1104 *Mobilization assignees—(a) Personnel quotas.* Personnel quotas for inactive duty training pay will be issued to the major air commands by Headquarters United States Air Force.

(b) *Number of training periods authorized.* Not more than 24 paid training periods in each fiscal year will be authorized personnel with mobilization assignments.

(c) *Accomplishing pay.* Pay for mobilization assignees trained by means of training attachments will be accomplished by the commands with which such personnel hold their mobilization assignments.

§ 861.1105 *Specialist training units—*

(a) *Eligibility.* All Ready Reservists assigned to specialist training units provided that they have executed the signed statement referred to in § 861.1101 (b) (3) (ii) are eligible to receive inactive duty training pay.

(b) *Number of training assemblies authorized.* Such personnel will be authorized not more than 24 unit training assemblies for pay purposes in each fiscal year.

§ 861.1106 *Table of organization and table of distribution units—(a) Eligibility.* All personnel assigned to the Air Force Reserve combat, combat support, and flying training units are eligible to receive inactive duty training pay.

(b) *Number of training assemblies authorized.* Such personnel will be authorized not more than 48 unit training assemblies for pay purposes in each fiscal year.

§ 861.1107 *Maximum number of paid training periods or unit training assemblies—(a) Training Category A.* A maximum of six unit training assemblies or training periods will be authorized for pay purposes in any one calendar month for personnel assigned to program elements in Training Category A for which 48 paid drills each fiscal year are authorized.

(b) *Training Category B.* A maximum of four training periods or unit training assemblies will be authorized for pay purposes in any one calendar month for personnel assigned to program elements in Training Category B in which 24 paid drills each year are authorized. A maximum of eight training periods or unit training assemblies will be authorized for pay purposes in any one quarter of a fiscal year for personnel assigned to program elements in Training Category B.

§ 861.1108 *Week-end training.* The full use of the two calendar days comprising a week-end is encouraged for the purpose of greater continuity of training (see § 861.1101 (b) (5))

§ 861.1109 *Flying pay.* (a) Additional pay for flying is authorized for rated personnel qualifying for inactive duty training pay when such personnel accomplish minimum flight requirements.

(b) Rated personnel with other than aircrew assignments will not be considered to have participated in a training period or unit training assembly by virtue of individual flight training activities.

(c) Rated personnel with other than aircrew assignments will not be considered to have participated in a unit training assembly by virtue of flight training activities, unless such training is authorized by competent authority, and they are assigned to Table of Organization or Table of Distribution positions which require rated officers on flying status.

(d) Rated personnel with aircrew assignments will not be considered to have participated in a training period by virtue of flight training activities unless such training is authorized by competent authority and accomplished with the organization to which assigned or with a similar type of organization.

§ 861.1110 *Authorized equivalent duties.* Equivalent duty for pay purposes will be authorized only for those persons who do not attend the scheduled unit training assembly of the unit to which assigned for reasons considered by the commanding officer of the unit to be sufficient. The following duties may be authorized as equivalent duties:

(a) Duty in connection with the planning, maintenance, training, administration, and supply of the Air Force Reserve provided that such duty is considered by the authorizing commanding officer to be a requirement in the interest of the service. Satisfactory accomplishment thereof will be certified to by the officer under whose jurisdiction such duty was performed.

(b) Participation in, pursuant to competent orders, approved maneuvers, exercises, or the inspection of another Reserve unit at the duly scheduled unit training assembly of the unit concerned.

(c) Performance of flight training by aircrew members only for the purpose of maintaining minimum flight proficiency requirements for rated personnel.

§ 861.1111 *Administrative function pay—(a) Amount.* In addition to other inactive duty training pay, commanding officers of Air Force Reserve Table of Organization, Table of Distribution, specialist training and Volunteer Air Reserve training units having administrative functions connected therewith will receive pay on a quarterly basis within the limitation of appropriations, but not to exceed the following amounts:

(1) For units having an assigned monthly strength of 100 or more officers and airmen, \$20 a month.

(2) For units having an assigned monthly strength of 50 to 99 officers and airmen, \$15 a month.

(3) For units having an assigned monthly strength of 25 to 49 officers and airmen, \$10 a month.

(4) For units having an assigned monthly strength of less than 25 officers and airmen, \$5 a month.

(b) *Strength of unit.* For the purposes enumerated in paragraph (a) of this section, the actual assigned strength of the unit on the last day of each month will apply.

§ 861.1112 *Training without remuneration.* Sections 861.1101 to 861.1113 will not be interpreted to limit the amount of individual or unit training that may be authorized or voluntarily conducted without pay or reimbursement of any kind.

§ 861.1113 *Waiver of pension, retirement pay, disability compensation, and other emoluments.* Under the provisions of section 2, 64 Stat. 1067, 10 U. S. C. 369b, members of the Air Force Reserve who are entitled to draw pensions, retirement pay, disability allowance, disability compensation, or retired pay from the Government of the United States by virtue of prior military service, may waive such benefits when they elect to receive in lieu thereof, inactive duty training pay for attendance at scheduled training periods, unit training assemblies, courses of instruction, or other duty for which they may be entitled to receive compensation pursuant to law.

[SEAL] H. B. HOELMAN,  
Colonel, U. S. Air Force,  
Acting Air Adjutant General.

[F. R. Doc. 53-3595; Filed, Apr. 23, 1953;  
8:48 a. m.]

#### PART 864—ENLISTED RESERVE

CROSS REFERENCE: For regulations applicable to airmen of the Air Force Reserve with respect to assignment, reassignment, and retention, point-gaining activities, mobilization and training and inactive duty training pay and allowances, see §§ 861.1 to 861.13; 861.31 to 861.36; and, 861.1001 to 861.1113 of this chapter, *supra*.

### TITLE 32A—NATIONAL DEFENSE, APPENDIX

#### Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 2, Sub-Order 1,  
Revision 1; Termination]

[Defense Food Order 2, Sub-Order 2,  
Revision 1; Termination]

[Defense Food Order 2, Sub-Order 3]

#### DFO 2—PROCESSED FRUIT AND VEGETABLES; SET ASIDE REQUIREMENTS

##### SO 1—CANNED VEGETABLES—SET ASIDE REQUIREMENTS

##### SO 2—CANNED FRUITS—SET ASIDE REQUIREMENTS

##### SO 3—CANNED FRUITS AND CANNED VEGETABLES—SET ASIDE REQUIREMENTS

It is hereby found and determined that the provisions of this order are

necessary and appropriate to promote the national defense; and it is, therefore, made effective pursuant to the authority vested in me by Defense Food Order 2, as amended (16 F. R. 3345, 4931). The pattern of regulation provided in this Sub-Order 3 is substantially identical with the pattern of regulation established under Sub-Order 1, Revision 1 and Sub-Order 2, Revision 1, and contains only minor changes from the provisions of such sub-orders. During the administration of Sub-Orders 1 and 2, there were frequent consultations with industry representatives with respect to the operation of the sub-orders. To the extent practicable in the formulation of this order, there has been informal consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

*Summary of sub-order.* This order names the canned foods which are required to be set aside from the 1953 production, and reserved for procurement by Government agencies pursuant to Defense Food Order 2. In addition, it provides a formula for determining the specific quantity of each canned food to be set aside by each processor. This formula consists of the establishment for each processor of a "base pack" to which is applied a prescribed percentage stated in the order. The order prescribes a time schedule for processors to meet in accumulating the set-aside quantity as the packing season progresses. It also sets forth processors' reporting requirements. It designates the Quartermaster General, United States Department of the Army, and his designees as the authorized purchasers of the canned foods so set aside and reserved. It prescribes a procedure for requesting releases, and makes applicable the provisions of Defense Food Order 4 which contains the procedure for filing petitions for relief in hardship cases.

The composition of the quantity of canned foods to be set aside under this order is not prescribed, but the order does indicate the preferences of Government agencies with respect to type, style, grade, and container sizes and types for each canned food.

The order does not apply to any processor with respect to any canned fruit for which the applicable quota amounts to less than 1,500 cases equivalent 24 No. 2½ size cans or to any canned vegetable for which the applicable quota amounts to less than 1,650 cases equivalent 24 No. 2 size cans.

#### REGULATORY PROVISIONS

##### Sec.

1. Definitions.
2. Canned foods to be set aside and reserved.
3. Stocks to be set aside.
4. Table 1—Canned fruits.
5. Table 2—Canned vegetables.
6. Exemptions.
7. Reports.
8. Release procedure.
9. Territorial scope.
10. Designation of authorized purchasers.
11. Petition for relief from hardship.
12. Effective date.
13. Termination of Sub-Order 1 and Sub-Order 2.

*Authority:* Sections 1 to 13, issued under sec. 704, 64 Stat. 816, as amended; 59 U. S. C. App. Sup. 2134.

**Section 1. Definitions.** (a) Except as otherwise provided in this order, terms used in this order shall have the same meaning as when used in Defense Food Order 2, as amended (16 F. R. 3345, 4931).

(b) "Canned food" means any one or more canned fruits or canned vegetables.

(c) "Canned fruit" means each of the processed foods listed in column (A) of Table 1 and produced during the quota period therefor from fruit grown in the United States, its territories, or possessions.

(d) "Canned vegetable" means each of the processed foods listed in column (A) of Table 2 and produced during the quota period therefor.

(e) "Table 1" means Table 1 set forth in section 4 of this order as from time to time amended or revised; and "Table 2" means Table 2 set forth in section 5 of this order as from time to time amended or revised.

(f) "Quota period" means:

(1) With respect to canned apples, applesauce, and pineapple, the period beginning on June 1, 1953, and ending on May 31, 1954, both dates inclusive; and

(2) With respect to any other canned food, the period beginning on January 1, 1953, and ending on December 31, 1953, both dates inclusive.

(g) "Quota period pack" means, with respect to any canned food, the aggregate quantity of such canned food produced during the applicable quota period.

(h) "Base period" means:

(1) With respect to canned berries and purple plums, the period beginning on January 1, 1949, and ending on December 31, 1949, both dates inclusive;

(2) With respect to canned apples, applesauce, and pineapple, the period beginning on June 1, 1950, and ending on May 31, 1951, both dates inclusive;

(3) With respect to any other canned fruit, the period beginning on January 1, 1950, and ending on December 31, 1950, both dates inclusive;

(4) With respect to any canned vegetable, the two-year period beginning on January 1, 1949, and ending on December 31, 1950, both dates inclusive.

(i) "Production period," as applied to a specified year's pack, means:

(1) With respect to canned apples, applesauce, and pineapple, the period beginning on June 1 of the specified year, and ending on May 31 of the following year, both dates inclusive; and

(2) With respect to any other canned food, the period beginning on January 1 of the specified year, and ending on December 31 of that year, both dates inclusive.

(j) "Base pack" means:

(1) With respect to any canned fruit produced by any processor during the base period therefor, the aggregate quantity of the canned fruit so produced;

(2) With respect to any canned fruit that was not produced by a processor during the base period therefor but was produced by such processor during the applicable 1952 production period, the aggregate quantity of the canned fruit so produced;



## RULES AND REGULATIONS

(3) With respect to any canned fruit that was not produced by a processor during the base period therefor or the applicable 1952 production period, but was produced by such processor during the applicable 1951 production period, the aggregate quantity of the canned fruit so produced;

(4) With respect to any canned fruit that was not produced by a processor during the base period therefor or the applicable 1951 or 1952 production period, the quota period pack of such canned fruit;

(5) With respect to any canned vegetable produced by any processor during both calendar years of the base period, one-half the aggregate quantity of the canned vegetable so produced;

(6) With respect to any canned vegetable produced by any processor during only one calendar year of the base period, the aggregate quantity of the canned vegetable so produced;

(7) With respect to any canned vegetable that was not produced by a processor during the base period but was produced by such processor during the 1951 production period, the aggregate quantity of the canned vegetable so produced;

(8) With respect to any canned vegetable that was not produced by a processor during the base period or the 1951 production period but was produced by such processor during the 1952 production period, the aggregate quantity of the canned vegetable so produced; and

(9) With respect to any canned vegetable that was not produced by a processor during the base period or the 1951 or 1952 production period, the quota period pack of such canned vegetable.

**SEC. 2. Canned foods to be set aside and reserved.** (a) The aggregate quantity of a particular canned food that each processor is required, pursuant to Defense Food Order 2, as amended, to set aside and reserve for the requirements of Government agencies shall be the lesser of (1) the quantity obtained by multiplying his base pack for such canned food by the percentage listed therefor in column (B) of Table 1 or Table 2, as the case may be, or (2) his quota period pack of such canned food. Such aggregate quantity shall be the quota for such processor for such canned food.

(b) The canned food quotas are not required to be of any special composition; however, Table 1 and Table 2 set forth the preferences of Government agencies with respect to the types, styles, grades and container sizes and types, for each of the canned foods.

**SEC. 3. Stocks to be set aside.** (a) Except as otherwise prescribed in paragraph (b) of this section, each processor shall set aside and reserve his quota of each canned food in accordance with the following schedule:

(1) At least 50 percent of his quota not later than the date on which such processor's aggregate production of his quota period pack of the canned food is in an amount equal to 40 percent of his base pack of such canned food; and

(2) The balance of his quota not later than the date on which such processor's aggregate production of his quota period pack of such canned food is in an amount equal to 80 percent of his base pack of such canned food.

(b) With respect to each processor whose base pack of a particular canned food is his quota period pack, in accordance with section 1 (j) (4) or (9), the foregoing percentages shall be applied to the respective processor's estimate of his base pack.

**SEC. 4. Table 1—Canned fruits: Set aside percentages and preferences with respect to style of pack, grade, and container sizes and types.**

Canned fruits (A)	Percentage of base pack (B)	Type—Style (C)	Grade preference <sup>1</sup>		Preferred container sizes and types <sup>2</sup> (F)
		Sequence denotes preference unless otherwise specified	First (D)	Second (E)	
Apples.....	8.2	Sliced, heavy pack.....	U. S. Standard.....	U. S. Fancy.....	10's—2's.
Apple sauce.....	5.4	.....	U. S. Fancy.....	.....	10's—2's.
Apricots.....	7.1	Halves, unpeeled.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Blackberries.....	22.8	.....	(2)	.....	10's—2's.
Blueberries.....	13.3	.....	(3)	.....	10's—2's.
Cherries, R. S. P.....	6.3	Water pack.....	U. S. Standard.....	.....	10's—2's.
Cherries, sweet.....	10.7	(1. Dark, unpitted.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Figs, Kadota.....	8.3	(2. Light, unpitted.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Fruit cocktail.....	4.4	.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Peaches.....	3.8	(1. Yellow Cling-stone. 1. Halves.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Pears, Bartlett.....	5.2	(2. Yellow Free-stone. 2. Slices.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
Pineapple.....	4.1	(1. Halves.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s.
Purple plums.....	6.3	(2. Quarters.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.
		(1. Sliced whole.....	.....	.....	.....
		(2. Tidbits.....	.....	.....	.....
		(3. Chunks.....	.....	.....	.....
		(4. Crushed <sup>3</sup> .....	.....	.....	.....
		(Sweetened or unsweetened). Whole, unpeeled, unpitted.....	U. S. Choice.....	U. S. Fancy.....	10's—2½'s 8 oz.

<sup>1</sup> Grades are those defined in applicable U. S. Standards. Lots from which drawn samples have zero vacuum are not desired.

<sup>2</sup> 75 percent of requirements are preferred in container size listed first. Golden Lacquer pre-coating preferred for No. 10 size cans.

<sup>3</sup> Federal Specification Z-B-421, Grade D, water pack or pie.

<sup>4</sup> Federal Specification Z-B-491, a, Grade C, water pack.

<sup>5</sup> Not more than 30 percent of requirement is preferred of crushed style.

**SEC. 5. Table 2—Canned vegetables: Set aside percentages and preferences with respect to style of pack, grade, and container sizes and types.**

Canned vegetables (A)	Percentage of base pack (B)	Style (C)	Grade preference <sup>1</sup>		Preferred container, sizes, and types <sup>2</sup> (F) (cans unless otherwise specified) <sup>3</sup>
		Sequence denotes preference unless otherwise specified	First (D)	Second (E)	
Asparagus.....	7.0	(1. Spears.....	U. S. Fancy.....	(U. S. Std. Min., score 80 points <sup>4</sup> )	2's.
Beans, lima.....	10.8	(2. Cut spears.....	U. S. Ext. Std.....	U. S. Fancy.....	10's—2's—303's.
Beans, green or wax <sup>5</sup> .....	6.3	Cut.....	U. S. Ext. Std. (round type).	U. S. Fancy (round type).	10's—2's—303's.
Carrots.....	11.0	(1. Sliced.....	U. S. Fancy.....	(U. S. Std. Min., score 80 points <sup>6</sup> )	10's—2's—303's.
Corn, sweet.....	5.9	(2. Diced.....	U. S. Ext. Std.....	U. S. Fancy.....	Whole grain 10's—2's, No. 2 vacuum—303's, Cream style 2's—303's, No. 3 tall, 10's—2's—303's.
Peas, green.....	3.8	(3. Cut.....	U. S. Ext. Std.....	U. S. Ext. Std.....	2's—303's, No. 3 tall, 10's—2's—303's.
Sweetpotatoes <sup>7</sup> .....	28.1	(1. Whole and pieces.....	U. S. Ext. Std. <sup>8</sup>	U. S. Std. Min., score 80 points.	2½'s—No. 3 vacuum.
Tomatoes <sup>9</sup> .....	8.8	(2. Whole.....	U. S. Ext. Std. <sup>9</sup> or U. S. Fancy. <sup>10</sup>	U. S. Std. Min., score 70 points. <sup>11</sup>	10's—2½'s—2's.
Tomato catsup <sup>12</sup> .....	8.0	.....	U. S. Fancy 33 percent solids and over. <sup>14</sup>	U. S. Fancy except 23-33 percent solids. <sup>14</sup>	10's—14 oz. bottles—2's.

<sup>1</sup> Grades are those defined in applicable United States Standards.

<sup>2</sup> 75 percent of requirements are preferred in container sizes listed first.

<sup>3</sup> Golden lacquer pre-coating preferred for No. 10 size cans.

<sup>4</sup> With not less than 31 points for tenderness.

<sup>5</sup> First preference green beans.

<sup>6</sup> With not less than 24 points for texture.

<sup>7</sup> 75 percent of requirements are preferred in whole grain, and 25 percent cream style.

<sup>8</sup> Lots from which drawn samples show zero vacuum are not desired.

<sup>9</sup> Type I as defined in Federal Specifications JJJ-T-571a.

<sup>10</sup> With not less than 13 points for drained weight, 21 points for color, and 10 points for absence of defects.

<sup>11</sup> Type I as defined in Federal Specifications JJJ-C-91a.

**SEC. 6. Exemptions.** The provisions of this order shall not apply to any processor with respect to any particular canned fruit for which his set-aside quota is less than 1,500 cases equivalent 24 No. 2½ size cans, or with respect to any particular canned vegetable for

which his set-aside quota is less than 1,650 cases equivalent 24 No. 2 size cans.

**SEC. 7. Reports.**—(a) *Quota period pack.* Each processor who proposes to produce any canned food, listed in column (A) of Table 1 or Table 2, during the quota period and which he did not



produce during the applicable base period or 1951 or 1952 production period, shall file with the Director (1) within 30 days after the effective date of this order, a report in letter form showing his estimate of his proposed total production of such canned food in all plants during the quota period, and (2) within 10 days after the completion of his quota period pack of such canned food, an additional report in letter form showing his actual production thereof during the quota period.

(b) *Base pack.* Each processor shall file with the Director, within 30 days after the effective date of this order, an accurate report in letter form showing the following information with respect to the applicable base pack, as determined in section 1 (j) of each canned food, listed in column (A) of Table 1 or Table 2, which was produced by such processor: (1) Date of report; name and address of processor; and (2) the total production of each canned food in all plants, in terms of dozens of containers, by container types and sizes: *Provided*, That any processor who, in accordance with Defense Food Order 2, Sub-Order 1, as amended or revised (16 F. R. 3346, 7357; 17 F. R. 2930, 6087) or Defense Food Order 2, Sub-Order 2, as amended or revised (16 F. R. 4981, 7768; 17 F. R. 2932, 6088) previously filed with the Director a production report of such base pack shall be deemed to have complied with the reporting requirements of this section.

(c) *Time of filing.* Any report required to be filed pursuant to this order shall be deemed to be filed when it is post-marked, if mailed, or when it is received by the Director, if otherwise delivered.

**Sec. 8. Release procedure.** (a) Pursuant to section 3 of Defense Food Order 2, as amended (16 F. R. 3345, 4981) the Director is authorized, whenever he determines that it is necessary or appropriate to promote the national defense, to release at any time any processed food that is set aside and reserved, as aforesaid. Any such release by the Director may be issued by him whenever he determines that such processed food is not required for Government agencies.

(b) Request by any processor for the release by the Director, pursuant to section 3 of said Defense Food Order 2, as amended, of any canned food that has been so set aside and reserved by such person shall be filed in writing with the Director. Such request shall specify the quantity of such canned food, together with a description thereof, and the reasons for the requested release. At the time of filing such request the processor shall also file an identical copy thereof with an authorized purchaser.

(c) Each release issued pursuant to this section shall be effective at the time and with respect to the quantity of the canned food as may be set forth in the written notice of such release which the processor of such canned food shall have received from the Director.

**Sec. 9. Territorial scope.** Except as otherwise prescribed in this section with respect to canned pineapple, the provisions of this order shall be applicable

within the 48 States of the United States and the District of Columbia. With respect to canned pineapple the provisions of this order shall also be applicable within Puerto Rico and the Territory of Hawaii.

**Sec. 10. Designation of authorized purchasers.** The Quartermaster General, United States Department of the Army, and each of his designees for such purpose are hereby designated as authorized purchasers of canned food set aside and reserved hereunder, pursuant to Defense Food Order 2, as amended, for the requirements of Government agencies, in such quantities as are specifically approved by the Director.

**Sec. 11. Petition for relief from hardship.** Any person affected by this order, or any requirement pursuant to this order, who considers that compliance therewith would work an exceptional or unreasonable hardship on him may file a petition for relief in accordance with the provisions of Defense Food Order 4 (16 F. R. 7568). The filing of appeals shall also be in accordance with said Defense Food Order 4.

**Sec. 12. Effective date.** The provisions of this order shall become effective April 25, 1953.

**Sec. 13. Termination of Sub-Order 1 and Sub-Order 2.** Sub-Order 1, Revision 1, as amended (17 F. R. 2930, 6037) and Sub-Order 2, Revision 1, as amended (17 F. R. 2932, 6088), issued pursuant to Defense Food Order 2, as amended (16 F. R. 3345, 4981), are hereby terminated upon the effective date hereof: *Provided*, That with respect to violations, rights accrued, liabilities incurred, or appeals taken concerning either of said amended Sub-Orders prior to the effective time of the provisions hereof, all provisions of said amended Sub-Orders shall be

deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

*Note:* All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 21st day of April 1953.

[SEAL] S. R. SMITH,  
Director Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 53-3620; Filed, Apr. 23, 1953;  
8:52 a. m.]

## Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 132 to Schedule A]

[Rent Regulation 2, Amdt. 130 to Schedule A]

### RR 1—HOUSING

### RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

#### SCHEDULE A—DEFENSE-RENTAL AREAS

##### NEW JERSEY AND ILLINOIS

Effective April 24, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the items indicated below of Schedules A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 21st day of April 1953.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

1. Item 190a of Schedule A of Rent Regulation 1 is amended to read as follows:

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
New Jersey (190a) Mount Holly-Lakehurst	B	BURLINGTON COUNTY, except the townships of Bass River, Medford, New Hanover, Shamong, Tabernash, Washington, and Woodland, the borough of Medford Lakes in Medford Township and the borough of Famberton.	Mar. 1, 1942	July 1, 1942
	B	In OCEAN COUNTY, the townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester, and Plumsted, and the boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach, and South Toms River.	Feb. 1, 1944	Apr. 1, 1945
	C	BURLINGTON COUNTY, except the townships of Bass River, Medford, New Hanover, Shamong, Tabernash, Washington, and Woodland, the borough of Medford Lakes in Medford Township and the borough of Famberton; in OCEAN COUNTY, the townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester, and Plumsted, and the boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach, and South Toms River.	Aug. 1, 1950	Nov. 7, 1951

2. Item 190a of Schedule A of Rent Regulation 2 is amended to read as follows:

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
New Jersey (190a) Mount Holly-Lakehurst	B	BURLINGTON COUNTY, except the townships of Bass River, Medford, New Hanover, Shamong, Tabernash, Washington, and Woodland, the borough of Medford Lakes in Medford Township and the borough of Famberton.	Mar. 1, 1942	July 1, 1942
	C A	do. In OCEAN COUNTY, the townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester, and Plumsted, and the boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach, and South Toms River.	Aug. 1, 1950 do.	Nov. 7, 1951 Do.

## RULES AND REGULATIONS

3. Items 88e and 190 of Schedules A of Rent Regulation 1 and Rent Regulation 2 are amended to read as follows:

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
<i>Illinois</i>				
(88e) Lake County...	B	LAKE COUNTY, except the cities of Highland Park, Highwood, Lake Forest, and Zion, the villages of Deerfield, Grayslake, and Lake Bluff, and that portion of the village of Barrington located therein.	Mar. 1, 1942	July 1, 1942
	C	do	Aug. 1, 1952	Jan. 6, 1953
	A	In LAKE COUNTY, the Villages of Deerfield and Grayslake.	do	Do.
<i>New Jersey</i>				
(190) Northeastern New Jersey.	B	In ESSEX COUNTY, the cities of East Orange, Newark, and Orange, the townships of Caldwell, Cedar Grove, Livingston, and Millburn, the towns of Belleville, Bloomfield, Irvington, Montclair, Nutley, West Orange, the boroughs of Caldwell and Verona, and the village of South Orange, and all unincorporated localities; in MIDDLESEX COUNTY, the cities of New Brunswick, Perth Amboy, and South Amboy, the townships of Cranbury, East Brunswick, Madison, Monroe, North Brunswick, Piscataway, Raritan, South Brunswick, and Woodbridge, the boroughs of Carteret, Dunellen, Highland Park, Jamesburg, Metuchen, Middlesex, Sayreville, South Plainfield, and South River, and all unincorporated localities; MONMOUTH COUNTY, except the township of Middletown, the boroughs of Atlantic Highlands, Avon-by-the-Sea, Fair Haven, Farmingdale, Little Silver, Manasquan, Redbank, Seabright, and Shrewsbury, and all incorporated localities in the borough of Allentown and the townships of Howell, Millstone, and Upper Freehold; in SOMERSET COUNTY, the townships of Bridgewater and Franklin, and the boroughs of Bound Brook, Manville, Raritan, Somerville, and South Bound Brook, and all unincorporated localities; in UNION COUNTY, the cities of Elizabeth, Linden, and Rahway, the townships of Cranford, Hillside, and Union, the town of Westfield, the boroughs of Garwood, Roselle, and Roselle Park, and all unincorporated localities.	Mar. 1, 1942	July 1, 1942
	C	MONMOUTH COUNTY, except the boroughs of Allentown, Atlantic Highlands, Avon-by-the-Sea, Fair Haven, Farmingdale, Little Silver, Manasquan, Redbank, Roosevelt, Seabright, and Shrewsbury, and the townships of Howell, Middletown, Millstone, and Upper Freehold.	Aug. 1, 1952	Nov. 6, 1952

These amendments decontrol the following based on resolutions submitted under section 204 (j) (3) of the act:

The City of Highwood in Lake County, Illinois, a portion of the Lake County Defense-Rental Area;

The Borough of Atlantic Highlands and the Township of Middletown in Monmouth County, New Jersey, portions of the Northeastern New Jersey Defense-Rental Area;

The Borough of Pemberton in Burlington County, New Jersey, a portion of the Mount Holly-Lakehurst Defense-Rental Area.

[F. R. Doc. 53-3606; Filed, Apr. 23, 1953; 8:50 a. m.]

[Rent Regulation 3, Amdt. 126 to Schedule A]

[Rent Regulation 4, Amdt. 69 to Schedule A]

## RR 3—HOTELS

## RR 4—MOTOR COURTS

## SCHEDULE A—DEFENSE-RENTAL AREAS

## NEW JERSEY AND ILLINOIS

Effective April 24, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the items indicated below of Schedules A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 21st day of April 1953.

WILLIAM G. BARR,  
Acting Director of Rent Stabilization.

1. Item 190 in Schedule A of Rent Regulation 4 is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(190) Northeastern New Jersey.	New Jersey.	MONMOUTH COUNTY, except the boroughs of Allentown, Atlantic Highlands, Avon-by-the-Sea, Fair Haven, Farmingdale, Little Silver, Manasquan, Redbank, Roosevelt, Seabright, and Shrewsbury, and the townships of Howell, Middletown, Millstone, and Upper Freehold.	Aug. 1, 1952	Nov. 6, 1952

2. Items 88e and 190a in Schedules A of Rent Regulation 3 and Rent Regulation 4 are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(88e) Lake County	Illinois	LAKE COUNTY, except the cities of Highland Park, Highwood, Lake Forest, and Zion, the village of Lake Bluff and that portion of the village of Barrington located therein.	Aug. 1, 1932	Jan. 6, 1933
(190a) Mount Holly-Lakehurst.	New Jersey	BURLINGTON COUNTY, except the borough of Medford Lakes in Medford Township, the borough of Pemberton and the townships of Bass River, Medford, New Hanover, Shamong, Tabernacle, Washington, and Woodland; and in OCEAN COUNTY, the townships of Berkeley, Brick, Dover, Jackson, Lakewood, Manchester, and Plumsted, and the boroughs of Beachwood, Island Heights, Lakehurst, Ocean Gate, Pine Beach, and South Toms River.	Aug. 1, 1939	Nov. 7, 1939

These amendments decontrol the following based on resolutions submitted under section 204 (j) (3) of the act:

The Borough of Atlantic Highlands and the Township of Middletown in Monmouth County, New Jersey, portions of the Northeastern New Jersey Defense-Rental Area (from Rent Regulation 4 only);

The City of Highwood in Lake County, Illinois, a portion of the Lake County Defense-Rental Area (from Rent Regulation 3 and Rent Regulation 4); and

The Borough of Pemberton in Burlington County, New Jersey, a portion of the Mount Holly-Lakehurst Defense-Rental Area (from Rent Regulation 3 and Rent Regulation 4).

[F. R. Doc. 52-3607; Filed, Apr. 23, 1953; 8:50 a. m.]

## TITLE 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 1—GENERAL RULES AND REGULATIONS

##### INTOXICATING LIQUORS; REVOCATION

Section 1.63 *Intoxicating liquors*, is revoked.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 18th day of April 1953.

DOUGLAS McKAY,  
Secretary of the Interior

[F. R. Doc. 53-3591; Filed, Apr. 23, 1953; 8:47 a. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART 17—MEDICAL

##### MISCELLANEOUS AMENDMENTS

1. Section 17.142 is revised to read as follows:

§ 17.142 *Filing and perfecting claim.* As to claims filed on or after July 25, 1950, payment or reimbursement of expenses for unauthorized medical services may be authorized for not more than 2 years prior to date of receipt of claim therefor. However, where establishment of service-connection on or after July 25, 1950, affords a basis for payment or reimbursement of expenses for unauthorized medical services received

prior to grant of service-connection, payment or reimbursement may be authorized if claim is filed within 2 years subsequent to the date of notice of such grant of service-connection. Further, as to service-connection granted pursuant to Public Law 573, 81st Congress, enacted June 23, 1950, or Public Law 239, 82d Congress, enacted October 30, 1951, payment or reimbursement for unauthorized medical services for treatment of the disability held service-connected or a disability determined adjunct thereto may not be authorized for any period prior to the date of enactment of the law under which service-connection is authorized. As informal claim identifying the benefit sought may be accepted if followed by the submission of a formal application within 1 year from the date of receipt of the informal claim. If necessary supporting evidence is not received within 1 year from the date of request therefor, no payment may be made on the basis of the claim in connection with which the supporting evidence was required. Claims pending on July 25, 1950, will be adjudicated under the prior practice.

2. In § 17.145, paragraphs (b) and (c) are amended to read as follows:

§ 17.145 *Statement to support claims.* \* \* \*

(b) *Room and board.* Claims for accommodations in a semiprivate or private room must be supported by a statement from the attending physician or superintendent of the hospital concerned that the veteran's condition demanded the use of a private or semiprivate room, unless in the judgment of the reviewing official the necessity therefor is established by the evidence of record.

(c) *Visits made outside of a city or town.* All claims involving additional fees for visits made outside of a town or city limits prior to May 15, 1947, should show the time consumed by the physician in actual travel or, if subsequent to that date, the mileage one way from the city limits to the veteran's home.

3. In § 17.146, paragraph (a) is amended and paragraph (b) (4) is deleted as follows:

§ 17.146 *Allowable fees.* (a) In the adjudication of claims for unauthorized medical services rendered prior to May 15, 1947, the Schedule of Fees, Veterans'

Administration, will govern as to allowance for items except as provided in § 17.141 (c). If the schedule of fees in effect at the time the treatment was rendered did not provide a fee for the particular service, the schedule in effect at the time the claim is being considered will be applied. If the particular service is not covered by the schedule in effect, a fee not in excess of what is reasonable and customarily charged in the community concerned may be allowed.

(b) \* \* \*

(4) [Deleted.]

4. In § 17.148, paragraphs (a) and (d) are amended to read as follows:

§ 17.148 *Development of claims.* (a) Guided by the controlling provisions of §§ 17.140 to 17.147, inclusive, the assistant chief medical director for outpatient service, central office; the chief medical officer, all regional offices; and the physician in charge of regional office medical activities at all centers or their physician designee will advise claimants whether they have or have not prima facie eligibility to reimbursement or payment of unauthorized medical expenses.

(1) If the claim is patently inadmissible (e. g., if made for treatment of a non-service-connected disability, etc.) the claimant will be so advised and the claim will not be developed. Itemized statements of accounts in connection with claims for payment or reimbursement of expenses for unauthorized medical services will not be requested unless and until it is apparent that the basic requirements for entitlement to payment or reimbursement have been met.

(2) When the determination of patent inadmissibility is made by the chief medical officer in a regional office, or physician in charge of regional office medical activities in a center outside the United States, the claimant or his representative will be informed that, if there is evidence available to him which in his opinion warrants a different decision, the evidence should be submitted to such regional office or center or, if no further evidence is available but there is substantial reason to believe the decision is not in accordance with the law and the facts in the case, he should notify the aforesaid regional office or center immediately, whereupon the claim will be forwarded to the regional office in the United States or to central office, whichever has jurisdiction, for a decision.

(3) When the decision is rendered by the chief medical officer in a regional office, or the physician in charge of regional office medical activities in a center in the United States, or the assistant chief medical director for outpatient service, central office, either as an original determination or following an initial adverse finding by a regional office or center outside the United States, the letter of notification will advise the claimant or his representative of his right of appeal within 1 year.

(4) In the event the basic facts indicate prima facie eligibility, the employees aforementioned will instruct the

claimant as to the submission of VA Form 10-583, if not originally filed, and all the supporting exhibits within the time limits prescribed in § 17.142.

(5) Claims when completed will be adjudicated or, if developed by a regional office or center outside the United States, will be forwarded with the veteran's files (claims and treatment) to the regional office of jurisdiction, or to central office, if it has been determined that the case is under jurisdiction of that office for adjudication. In claims comprehended under § 17.141 (c) a resume of the pertinent evidence of record will suffice in lieu of the files.

(d) Upon approval of claims an award will be prepared on VA Form 10-608, Public Voucher, in quintuplicate. VA Form 10-608 will be signed in the spaces provided by the claims examiner (medical) as "medical claims, adjudicator" and the employee designated in § 17.140 (c) acting in the capacity of "medical claims authorized." VA Form 10-608 and VA Forms 10-608a, c, and d will be forwarded to the finance officer for certification for payment in cases under the jurisdiction of a regional office or center with regional office activities, or to the office of the assistant administrator for finance, if central office has jurisdiction. In view of such certification, surety bonds will not be required for medical claims authorizers. VA Form 10-608b, VA Form 10-583, the approved brief of facts, all bills, supporting exhibits, and correspondence will be filed in the claims folder (or XC-folder). The payee and all interested persons will be fully informed of the action taken.

5. In § 17.155, paragraph (e) is amended to read as follows:

§ 17.155 *Autopsies.* \* \* \*

(e) The laws of the decedent's domicile are determinative as to whether the spouse or the next of kin is the proper person to grant permission to perform an autopsy and of the question as to the order of preference among such persons. Usually the spouse is first entitled, except in some situations of separation; followed by children, parents, brothers and sisters, etc. When the next of kin as defined by the laws of decedent's domicile consists of a number of persons as children, parents, brothers and sisters, etc., permission to perform an autopsy may be accepted when granted by the person in the appropriate class who assumes the right and duty of burial.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 1, 6, 48 Stat. 9, 301, 53 Stat. 652, as amended; 38 U. S. C. 706, 706a)

This regulation is effective April 24, 1953.

[SEAL] H. V. STIRLING,  
Deputy Administrator

[F. R. Doc. 53-3616; Filed, Apr. 23, 1953; 8:51 a. m.]

## TITLE 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

##### MERCHANDISE IN SEALED PARCELS; INSCRIPTION REQUIRED

In § 35.6 *Wrapping of packages to permit examination*, amend paragraph (g) to read as follows:

(g) *Merchandise in sealed parcels; inscription required.* Articles of merchandise or other articles embraced in mail of the third or fourth class (except circulars and miscellaneous printed matter in parcels weighing 8 ounces or less) which are not in themselves unmailable (see §§ 34.73, 35.13, and 36.2 of this chapter) may be accepted for mailing at the third- or fourth-class rates of postage, according to the weight of the parcels, when enclosed in sealed parcels labeled or endorsed to show the nature of contents, as for example "Contents: Merchandise" together with the inscription "May be opened for postal inspection," in connection with the name and address of the sender, all of which may be printed, handstamped, typewritten or handwritten, preferably in printing, but in any case the endorsement must be legible.

NOTE: See § 35.7 as to penalty for enclosing matter of a higher class in that of a lower class and mailing same at a lower rate than would be required for such higher class.

(R. S. 161, 396; sec. 24, 20 Stat. 361, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 250)

[SEAL] ROSS RIZLEY,  
Solicitor  
[F. R. Doc. 53-3586; Filed, Apr. 23, 1953; 8:46 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### Subchapter I—Northwest Atlantic Commercial Fisheries

##### PART 155—HADDOCK PROVISIONS

*Basis and purpose.* At its meeting held in St. Andrews, New Brunswick, Canada, June 30-July 9, 1952, the International Commission for the Northwest Atlantic Fisheries, a body created pursuant to Article II of the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, adopted a proposal recommending that the Contracting Governments, in the interest of permitting an adequate escapement of immature haddock, take appropriate action to prohibit the taking of haddock in Sub-area 5 of the Convention waters with a trawl net having a mesh size of less than four and one-half inches. The proposal recommended further the adoption of a specific method of measuring mesh size and the exemption of vessels taking haddock for the purposes of scientific investigation from the proposed mesh restrictions. In its letter of July 15, 1952, which submitted the proposal to the Contracting

Governments pursuant to Article VIII of the Convention, the Commission drew attention to the experimental nature of the proposed mesh size regulation and outlined a suggested research program to determine the effectiveness of the regulation following its adoption.

On February 13, 1953 the proposal was accepted by the Governments of the United States and Canada, in accordance with Article VII (7) of the International Convention for the Northwest Atlantic Fisheries and, in accordance with Article VIII (8) of the Convention, the proposal will become effective for all Contracting Governments on June 13, 1953. In accordance with section 4 (a) of the Northwest Atlantic Fisheries Act of 1950 (64 Stat. 1067, 16 U. S. C., 1946 ed., Supp. V, 981) regulations proposed by the Secretary of the Interior to implement the proposal were submitted to the Advisory Committee to the United States Commissioners of the International Convention for the Northwest Atlantic Commission on December 2, 1952, at which time the proposed regulations received the unanimous approval of the members of the Advisory Committee in attendance.

By notice of proposed rule making published in the FEDERAL REGISTER on December 30, 1952 (17 F. R. 11823), the public was invited to submit written data, views or arguments in connection with the proposed regulations to Albert M. Day, Director, Fish and Wildlife Service, Department of the Interior, Washington 25, D. C., not later than 60 days from the publication of the Notice in the FEDERAL REGISTER. Careful consideration has been given the views, data, and arguments received, and it has been determined that the regulations appearing below should be promulgated to govern the use of trawling nets in the haddock fishery in the area described in the said regulations.

Effective midnight May 31, 1953, the following regulations, constituting new Subchapter I—Northwest Atlantic Commercial Fisheries, Part 155—Haddock Provisions, are prescribed for the year 1953 only:

Sec.	Meaning of terms.
155.1	Meaning of terms.
155.2	Vessel.
155.3	Haddock.
155.4	Haddock fishing.
155.5	Trawl net.
155.7	Period of application.
155.9	Restriction on fishing gear.
155.10	Measurement of mesh size.
155.11	Employment of devices to reduce mesh size prohibited.
155.15	Illegal possession of haddock.
155.16	Certain vessels exempted.

AUTHORITY: §§ 155.1 to 155.16 issued under sec. 7, 64 Stat. 1069; 16 U. S. C. 980.

§ 155.1 *Meaning of terms.* When used in the regulations in this part, unless the content otherwise requires, terms shall have the meanings ascribed hereinafter in this part.

§ 155.2 *Vessel.* The word "vessel" denotes every kind, type, or description of watercraft, aircraft, or other contrivance, subject to the jurisdiction of the United States, used, or capable of being used, as a means of transportation on water.

§ 155.3 *Haddock.* The word "haddock" denotes any fish of the species *Melanogrammus aeglefinus*.

§ 155.4 *Haddock fishing.* The words "haddock fishing" mean the catching, taking, or fishing for, or the attempted catching, taking, or fishing for any fish of the species *Melanogrammus aeglefinus*.

§ 155.5 *Trawl net.* The words "trawl net" mean any large bag net dragged in the sea by a vessel or vessels for the purpose of taking fish.

§ 155.7 *Period of application.* The regulations in this part shall cease to have effect at midnight, December 31, 1953.

§ 155.9 *Restriction on fishing gear.* The use, for the purpose of taking haddock in the northwest Atlantic Ocean north of 39°00' north latitude and west of 42°00' west longitude, of a trawl net or nets, parts of nets or netting having in any part thereof a mesh size less than four and one-half inches is prohibited.

§ 155.10 *Measurement of mesh size.* For the purpose of § 155.9 mesh size shall

be deemed to be the average of any ten consecutive meshes of the trawl net selected at the discretion of the enforcement officer and measured individually stretched diagonally while wet, with a flat wedge-shaped gauge having a taper of two inches in nine inches and a thickness of three thirty-seconds of an inch, inserted into the mesh under a pressure of twelve pounds.

§ 155.11 *Employment of devices to reduce mesh size prohibited.* The use from any vessel engaged in haddock fishing in the area described in § 155.9 of any device or method which will obstruct the meshes of the trawl net or which will otherwise, in effect, diminish the size of said meshes is prohibited: *Provided*, That a protective covering may be attached to the underside only of the cod end alone of the net to reduce and prevent damage thereto.

§ 155.15 *Illegal possession of haddock.* The possession or transportation on any vessel at any one time of both a trawl net or nets, parts of nets or netting, the use of which is prohibited by § 155.9, and haddock in amounts in excess of five

thousand pounds or ten percent of all the fish on board such vessel, whichever is larger, is prohibited.

§ 155.16 *Certain vessels exempted.* Nothing contained in the regulations in this part shall apply to:

(a) Any vessel having in possession haddock in amount less than five thousand pounds or ten percent of all the fish on board such vessel, whichever is larger, taken incidentally to fishing for other species of fish.

(b) Any vessel duly authorized by the Director of the Fish and Wildlife Service to engage in haddock fishing for scientific purposes.

(c) Any vessel documented as a common carrier by the Government of the United States and engaged exclusively in the carriage of freight and passengers.

Issued at Washington, D. C., this 18th day of April 1953.

DOUGLAS MCKAY,  
Secretary of the Interior.

[P. R. Doc. 53-3582; Filed, Apr. 23, 1953; 8:45 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### [ 7 CFR Part 52 ]

#### U. S. STANDARDS FOR GRADES OF TOMATO CATSUP<sup>1</sup>

##### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein proposed, of the current United States Standards for Grades of Tomato Catsup, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952). This revision, if made effective, will be the fourth issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

<sup>1</sup> The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

The proposed revision is as follows:

§ 52.683 *Tomato catsup.* Tomato catsup means the product as defined in the standard of identity for catsup, ketchup, catchup (21 CFR 53.10) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(a) *Grades of tomato catsup.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of tomato catsup that possesses a good color; that possesses a good consistency—that is practically free from defects; that possesses a good flavor; that possesses a good finish; the total solids of which are not less than 33 percent, by weight; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Extra Standard" is the quality of tomato catsup that possesses a good color; that possesses a good consistency; that is practically free from defects; that possesses a good flavor; that possesses a good finish; the total solids of which are not less than 29 percent, by weight; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this section: *Provided*, That the tomato catsup may score not less than 18 points for the factor of consistency if the total score is not less than 85 points.

(3) "U. S. Grade C" or "U. S. Standard" is the quality of tomato catsup that possesses a fairly good color; that possesses a fairly good consistency; that is fairly free from defects; that possesses a good finish; that possesses a fairly good flavor; the total solids of which are not less than 25 percent, by weight;

and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "Substandard" is the quality of tomato catsup that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Recommended fill of container for tomato catsup.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of tomato catsup be filled as full as practicable without impairment of quality and that the product occupy not less than 90 percent of the capacity of the container.

(c) *Ascertaining the grade.* (1) The grade of tomato catsup is ascertained by considering in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, consistency, absence of defects, and flavor. The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
(i) Color.....	25
(ii) Consistency.....	25
(iii) Absence of defects.....	25
(iv) Flavor.....	25
Total score.....	100

(d) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical

range within each factor which is scored is inclusive (for example, 17 to 20 points means 17, 18, 19, or 20 points)

(1) *Color* The score for the factor of color is determined by comparing the color of the product with that produced by spinning a combination of the following Munsell color discs:

Disc 1—Red (5R 2.6/13) (glossy finish).  
Disc 2—Yellow (2.5YR 5/12) (glossy finish).

Disc 3—Black (N1) (glossy finish).  
Disc 4—Gray (N4) (mat finish).

(i) Tomato catsup that possesses a good color may be given a score of 21 to 25 points. "Good color" means that the color is typical of tomato catsup made from well ripened red tomatoes and which has been properly prepared and properly processed. Such color is the equivalent or better than that produced by spinning the specified Munsell color discs in the following combinations: 65 percent of the area of Disc 1, 21 percent of the area of Disc 2; 14 percent of the area of Disc 3 or of Disc 4, or 7 percent of the area of Disc 3 and 7 percent of the area of Disc 4 whichever most nearly matches the reflectance of the tomato catsup. To receive a score in this classification, tomato catsup, when packed in glass, shall show no discoloration in the "neck" of the bottle.

(ii) If the tomato catsup possesses a fairly good color, a score of 17 to 20 points may be given. Tomato catsup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the color is typical of tomato catsup and is the equivalent or better than that produced by spinning the specified Munsell color discs in the following combinations: 53 percent of the area of Disc 1, 28 percent of the area of Disc 2; 19 percent of the area of either Disc 3 or Disc 4, or 9½ percent of the area of Disc 3 and 9½ percent of the area of Disc 4 whichever most nearly matches the reflectance of the tomato catsup.

(iii) Tomato catsup that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 16 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Consistency*. The factor of consistency refers to the viscosity of the product and the tendency to hold its liquid portion in suspension.

(i) Tomato catsup that possesses a good consistency may be given a score of 22 to 25 points. "Good consistency" means that the tomato catsup shows not more than a slight separation of free liquid when poured on a flat grading tray\* is not excessively stiff; and flows not more than 9 centimeters in 30 seconds at 20 degrees Centigrade in the Bostwick consistometer.

(ii) If the tomato catsup possesses a fairly good consistency, a score of 18 to 20 points may be given. Tomato catsup that falls into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the

total score for the product (this is a limiting rule) "Fairly good consistency" means that the tomato catsup may show a noticeable, but not excessive, separation of free liquid when poured on a flat grading tray\* is not excessively stiff; and flows not more than 14 centimeters in 30 seconds at 20 degrees Centigrade in the Bostwick consistometer.

(iii) Tomato catsup that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 17 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(3) *Absence of defects*. The factor of absence of defects refers to the degree of freedom from defects such as: Dark specks or scale-like particles, seeds, particles of seed, tomato peel, core material, or other similar substances. This factor is evaluated by observing a layer of the product on a white, flat, enameled surface. Such layer is prepared by drawing a scraper with a clearance 7 inches long by ½ inch high rapidly through the product in two directions so as to form an approximate square.

(i) Tomato catsup that is practically free from defects may be given a score of 21 to 25 points. "Practically free from defects" means that any defects present do not more than slightly affect the appearance or eating quality of the product.

(ii) If the tomato catsup is fairly free from defects, a score of 18 to 20 points may be given. Tomato catsup that falls into this classification shall not be scored above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means that any defects present may be noticeable but are not so large, so numerous, or of such contrasting color as to seriously affect the appearance or eating quality of the product.

(iii) Tomato catsup that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 17 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(4) *Flavor* (i) Tomato catsup that possesses a good flavor may be given a score of 21 to 25 points. "Good flavor" means a good, distinct flavor characteristic of good quality ingredients. Such flavor is free from scorching or any objectionable flavor of any kind.

(ii) If the tomato catsup possesses only a fairly good flavor, a score of 17 to 20 points may be given. Tomato catsup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good flavor" means a flavor characteristic of the ingredients in which there may be slight traces of undesirable flavor such as scorched, bitter, or astringent, but is free from objectionable or off flavors of any kind.

(iii) Tomato catsup that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 16 points and shall not be graded above Substandard, regardless of the

total score for the product (this is a limiting rule)

(e) *Definition of terms used in these standards*. (1) "Total solids" in tomato catsup for the purpose of these standards is the refractometric sucrose value of the filtrate determined in accordance with the International Scale of Refractive Indices of Sucrose Solutions to which value is added 1 percent.

(2) "Good finish" means that the product is evenly comminuted and has a uniform, smooth texture.

(f) *Tolerances for certification of officially drawn samples*. (1) When certifying samples that have been officially drawn and which represent a specific lot of tomato catsup, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule must be within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(g) *Score sheet for tomato catsup*.

Type of container.....	.....
Container size.....	.....
Container mark.....	.....
Label.....	.....
Net weight or volume.....	.....
Total solids.....	.....
Vacuum readings.....	.....
Factors	Score points
I. Color.....	25 { (A-B) 21-25 (C) 17-20 (SS'd.) 0-10
II. Consistency.....	25 { (A-B) 22-25 (C) 18-21 (SS'd.) 0-17
III. Absence of defects.....	25 { (A-B) 21-25 (C) 18-20 (SS'd.) 0-17
IV. Flavor.....	25 { (A-B) 21-25 (C) 17-20 (SS'd.) 0-10
Total score.....	100
Normal flavor and odor.....	.....
Grade.....	.....

\*Indicates limiting rule.

Done at Washington, D. C., this 21st day of April 1953.

[SEAL] ROY W. LENNARTSON,  
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-3621; Filed, Apr. 23, 1953; 8:53 a. m.]



## [ 7 CFR Part 728 ]

## WHEAT

## NOTICE OF DETERMINATIONS TO BE MADE WITH RESPECT TO MARKETING QUOTAS FOR 1954 CROP AND OF NATIONAL ACREAGE ALLOTMENT FOR 1954 CROP

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1332, 1333, 1335) the Secretary is preparing to determine whether marketing quotas are required to be proclaimed for the 1954 crop of wheat, and to determine and proclaim the national acreage allotment for the 1954 crop of wheat.

Section 333 of said act provides that the national acreage allotment shall be that acreage which the Secretary determines will, on the basis of the national average yield for wheat; produce an amount thereof adequate, together with the estimated carry-over at the beginning of the marketing year for such crop and imports, to make available a supply for such marketing year equal to a normal year's domestic consumption and exports plus 30 per centum thereof; but such allotment for any year shall not be less than 55 million acres. Section 332 of said act requires that the Secretary, not later than July 15, 1953, shall ascertain and proclaim the total supply and the normal supply of wheat for the 1953-54 marketing year and the national acreage allotment for the 1954 crop of wheat.

Section 335 of said act provides that whenever in the calendar year 1953 the Secretary determines (1) that the total supply of wheat for the 1953-54 marketing year will exceed the normal supply for such marketing year by more than 20 per centum, or (2) that the total supply of wheat for the 1952-53 marketing year is not less than the normal supply for such marketing year and that the average farm price for wheat for three consecutive months of such marketing year does not exceed 66 per centum of parity, the Secretary shall, not later than July 1, 1953, proclaim such fact and a national marketing quota shall be in effect on the marketing of wheat during the 1954-55 marketing year.

As defined in section 301 of the act, for the purpose of these determinations, "total supply" for any marketing year is the carry-over of wheat for such marketing year, plus the estimated production of wheat in the United States during the calendar year in which such marketing year begins and the estimated imports of wheat into the United States during such marketing years; "normal supply" for any marketing year is the estimated domestic consumption of wheat for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of wheat for the marketing year for which normal supply is being determined, plus 15 per centum of such consumption and exports, with such adjustments for current trends in consumption and for unusual conditions as deemed necessary. "normal year's domestic consumption" of wheat is the yearly average quantity

of wheat that was consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption; "normal year's exports" of wheat is the yearly average quantity of wheat produced in the United States that was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports; "marketing year" for wheat is the period July 1-June 30; and "national average yield" of wheat is the national average yield of wheat for the ten calendar years preceding the year in which such national average yield is used, adjusted for abnormal weather conditions and for trends in yields.

In preparing to make such determinations and proclamations, the Secretary has under consideration sections 304 and 371 (b) of the act which authorizes increases in or terminations of marketing quotas and acreage allotments for any of the several commodities to which farm marketing quotas are applicable in case the Secretary finds such action necessary to protect consumers, to meet a national emergency, or to provide for a material increase in exports.

Prior to making any of the foregoing determinations with respect to the 1954 crop of wheat, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 21st day of April 1953.

[SEAL] HOWARD H. GORDON,  
Administrator.

[F. R. Doc. 53-3619; Filed, Apr. 23, 1953; 8:52 a. m.]

## DEPARTMENT OF LABOR

## Wage and Hour Division

## [ 29 CFR Parts 686, 687, 697, 699 ]

## SPECIAL INDUSTRY COMMITTEE No. 14 FOR PUERTO RICO

## NOTICE OF PUBLIC HEARING FOR PURPOSE OF RECEIVING EVIDENCE TO BE CONSIDERED IN RECOMMENDING MINIMUM WAGE RATES FOR EMPLOYEES IN VARIOUS INDUSTRIES

In conformity with sections 5 and 8 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. and Sup., 201 et seq.) and in accordance with § 511.11 of the regulations issued pursuant thereto (29 CFR Part 511) notice is hereby given to all interested persons that a public hearing will be held beginning on May 12, 1953 at 10:00 a. m., in Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, Puerto

Rico for the purpose of receiving evidence to be considered by Special Industry Committee No. 14 for Puerto Rico in recommending minimum wage rates for employees in the industries in Puerto Rico hereinafter enumerated.

Special Industry Committee No. 14 for Puerto Rico was created by Administrative Order No. 428, published in the FEDERAL REGISTER on April 14, 1953. It is charged, in accordance with the provisions of the Fair Labor Standards Act of 1938, as amended, and regulations promulgated thereunder, with the duty of investigating conditions in the following industries in Puerto Rico, as defined in said administrative order: The shoe manufacturing and allied industries, the hosiery industry, and the textile and textile products industry. Said Committee will also be charged with the duty of investigating conditions respecting, and recommending minimum wage rates for the employees in the costume jewelry division of the button, buckle, and jewelry industry (as defined in said administrative order) in the event that the Administrator's proposed disapproval of the recommendations of Special Industry Committee No. 12 for Puerto Rico for the necklace, bracelet, and similar jewelry division and the metal and plastic jewelry and miscellaneous products division of the button, buckle, and jewelry industry (published in the FEDERAL REGISTER April 14, 1953) is made final.

The Committee is further charged with the duty of recommending to the Administrator the highest minimum wage rates (not in excess of 75 cents per hour) for all employees in Puerto Rico in the industries cited above who, within the meaning of said act, are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by the provisions of section 13 (a) and employees coming under the provisions of section 14, which, having due regard to economic and competitive conditions, will not substantially curtail employment in such industries and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico. Before any minimum wage rates recommended by the Committee are made effective, a public hearing will be held pursuant to section 8 of the act, at a time and place to be announced by the Administrator, and at which all interested persons will have an opportunity to be heard.

Any person who, in the opinion of the Committee or its duly authorized subcommittee has a substantial interest in the proceeding and is prepared to present material pertinent to the question under consideration, may appear on his own behalf or on behalf of any other person. Persons wishing to appear are requested to file with James G. Johnson, Territorial Director of the Wage and Hour Division, Post Office Box 9061, Santurce 29, Puerto Rico, not later than May 5, 1953, a notice of intention to appear. A copy of such notice must also be filed by such persons with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., on or before the same date.

The notice of intention to appear should contain the following information:

1. The name and address of the person appearing.
2. If he is appearing in a representative capacity, the name and address of the person or persons whom, or the organization which, he is representing.
3. The approximate length of time which his presentation will consume.

All testimony will be taken under oath and subject to reasonable cross-examination by any interested person present. Testimony so received will be offered as evidence at the public hearing to be held on such minimum wage recommendations as Special Industry Committee No. 14 for Puerto Rico may make.

Written statements of persons who cannot appear personally will be considered by the Committee provided that such statements are sworn and that at least 12 copies thereof are received not later than May 12, 1953 at the Wage and Hour Division of the United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce 29, Puerto Rico. Any person appearing at the hearing who offers written material must submit at least 12 copies thereof.

Signed at San Juan, Puerto Rico, this 17th day of April 1953.

ANTONIO J. COLORADO,  
Chairman, Special Industry  
Committee No. 14 for Puerto  
Rico.

[F. R. Doc. 53-3592; Filed, Apr. 23, 1953;  
8:47 a. m.]

## COMMODITY EXCHANGE COMMISSION

### [ 17 CFR Part 150 ]

[Hearing Docket CE-P 9]

LIMITS ON POSITION AND DAILY TRADING  
IN COTTONSEED OIL, SOYBEAN OIL, AND  
LARD FOR FUTURE DELIVERY; EXEMPTIONS

#### NOTICE OF HEARING

On January 16, 1953, the Commodity Exchange Commission issued orders (17 CFR 150.6-150.8; 18 F. R. 443, 444) under section 4a of the Commodity Exchange Act (7 U. S. C. 6a) establishing limits on position and daily trading in cottonseed oil, soybean oil, and lard, for future delivery, effective April 1, 1953.

In the light of facts and circumstances brought to the attention of the Commodity Exchange Authority, United States Department of Agriculture, since the issuance of the orders on January 16, 1953, and upon its recommendation to the Commodity Exchange Commission, the Commission deems it advisable that further consideration be given to certain problems connected with the manufacture and processing of cottonseed oil, soybean oil, and lard, which may require that further provisions applicable to manufacturers and processors be included in the aforesaid orders for the purpose of avoiding unnecessary hardship to the business of such manufacturers and processors.

A determination of these and related matters requires that the Commodity Exchange Commission have before it full information with respect thereto.

Therefore, notice is hereby given that a hearing will be held, beginning at 10:00 o'clock a. m., e. s. t., on May 25, 1953, in Room 149W Administration Building, United States Department of Agriculture, Washington, D. C., for the presentation of evidence as to (1) problems created by the application of the aforesaid orders to futures trading, under various conditions, by manufacturers and processors of cottonseed oil, soybean oil, and lard, (2) the need of additional exceptions or other provisions in order to meet such problems, and (3) all related matters.

Written statements with reference to the subject matter of this hearing may be submitted by any interested person and may be in addition to or in lieu of testimony at such hearing. Such statements should be prepared in quintuplicate and mailed to the Presiding Officer, Hearing Docket, CE-P9, Commodity Exchange Authority, United States Department of Agriculture, Washington 25, D. C., prior to the time of hearing, or delivered to the Presiding Officer at the time of hearing.

This notice shall not suspend, modify, revoke, postpone, or otherwise affect the aforementioned orders of the Commodity Exchange Commission issued January 16, 1953, establishing limits on position and daily trading in cottonseed oil, soybean oil, and lard for future delivery.

Issued this 21st day of April 1953.

COMMODITY EXCHANGE  
COMMISSION,

[SEAL] E. T. BENSON,  
Secretary of Agriculture,  
Chairman.

SINCLAIR WEEKS,  
Secretary of Commerce.  
HERBERT A. BROWNELL, Jr.,  
Attorney General.

[F. R. Doc. 53-3618; Filed, Apr. 23, 1953;  
8:52 a. m.]

## INTERSTATE COMMERCE COMMISSION

### [ 49 CFR Part 10 ]

UNIFORM SYSTEM OF ACCOUNTS FOR  
RAILROAD COMPANIES

PROPOSED CANCELLATION OF CERTAIN  
ACCOUNTS AND INSTRUCTIONS

APRIL 14, 1953.

Having under consideration provisions in the accounting regulations which permit railroad companies to charge operating expenses with the cost of certain repairs to roadway, structures, and equipment before such costs have been incurred, the Commission by Division 1 has approved cancellation of the following accounts and instructions:

- |          |   |
|----------|---|
| Sec.     |   |
| 10.04-25 | Deferred maintenance, and major repairs to equipment. |
| 10.268   | Deferred maintenance; way and structures.             |
| 10.339   | Deferred maintenance; equipment.                      |
| 10.340   | Major repairs; equipment.                             |

- |         |  |
|---------|--|
| Sec.    |  |
| 10.480  | Accounts for small carriers, Class II:<br>Account 1208, Deferred maintenance—Way and structures.<br>Account 1232, Major repairs—Equipment.<br>Account 1235, Deferred maintenance—Equipment.  |
| 10.490  | Accounts for small carriers, Class III:<br>Account 2207, Deferred maintenance—Way and structures.<br>Account 2230, Major repairs—Equipment.<br>Account 2233, Deferred maintenance—Equipment. |
| 10.704½ | Maintenance funds.   |
| 10.774  | Maintenance reserves.  |

Any interested person may on or before July 1, 1953, file with the Commission written views or arguments to be considered in this connection, and may request oral argument thereon. Unless otherwise decided after consideration of representations so received, an order will be entered making the cancellations effective August 1, 1953.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3599 Filed, Apr. 23, 1953;  
8:49 a. m.]

### [ 49 CFR Part 14 ]

ELECTRIC RAILWAYS: UNIFORM SYSTEM  
OF ACCOUNTS

PROPOSED CANCELLATION OF CERTAIN  
ACCOUNTS AND INSTRUCTIONS

APRIL 14, 1953.

Having under consideration provisions in the accounting regulations which permit electric lines to charge operating expenses with the cost of certain repairs to roadway, structures, and equipment before such costs have been incurred, the Commission by Division 1 has approved cancellation of the following accounts and instructions:

- |          |   |
|----------|---|
| Sec.     |   |
| 14.01-16 | Deferred maintenance and major repairs to equipment.  |
| 14.28-1  | Deferred maintenance; way and structures.   |
| 14.44-1  | Deferred maintenance; equipment.  |
| 14.44-2  | Major repairs; equipment.   |
| 14.51-1  | Deferred maintenance; power.  |
| 14.0-7   | Accounts for small carriers, Class II:<br>Account 28-1, Deferred maintenance—Way and structures.<br>Account 44-1, Deferred maintenance—Equipment.<br>Account 44-2, Major repairs—Equipment.<br>Account 51-1, Deferred maintenance—Power.  |
| 14.0-8   | Accounts for small carriers, Class III:<br>Account 28-1, Deferred maintenance—Way and structures.<br>Account 44-1, Deferred maintenance—Equipment.<br>Account 44-2, Major repairs—Equipment.<br>Account 51-1, Deferred maintenance—Power. |
| 14.403-1 | Maintenance funds.  |
| 14.442-1 | Maintenance reserves.   |

Any interested person may on or before July 1, 1953 file with the Commission written views or arguments to be con-

sidered in this connection, and may request oral argument thereon. Unless otherwise decided after consideration of representations so received, an order will be entered making the cancellations effective August 1, 1953.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3598; Filed, Apr. 23, 1953;  
8:49 a. m.]

#### [ 49 CFR Part 24 ]

#### UNIFORM SYSTEM OF ACCOUNTS FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICES AGAINST HEAT OR COLD

##### PROPOSED CANCELLATION OF CERTAIN ACCOUNTS AND INSTRUCTIONS

APRIL 14, 1953.

Having under consideration provisions in the accounting regulations which permit persons furnishing cars or protective service against heat or cold to charge operating expenses with the cost of certain repairs to structures and equipment before such costs have been incurred,

the Commission by Division 1 has approved cancellation of the following accounts and instructions:

Sec.	
24.01-47	Deferred maintenance and major repairs to rolling stock.
24.332	Deferred maintenance; car service facilities.
24.333	Major repairs; rolling stock.
24.382	Deferred maintenance; icing facilities.
24.432	Deferred maintenance; refrigeration service facilities.
24.482	Deferred maintenance; heater service facilities.
24.813	Maintenance funds.
24.877	Maintenance reserves.

Any interested person may on or before July 1, 1953 file with the Commission written views or arguments to be considered in this connection, and may request oral argument thereon. Unless otherwise decided after consideration of representations so received, an order will be entered making the cancellations effective August 1, 1953.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3600; Filed, Apr. 23, 1953;  
8:49 a. m.]

## NOTICES

### DEPARTMENT OF LABOR

#### Wage and Hour and Public Contracts Divisions

##### EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

##### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214, as amended, 63 Stat. 910) and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525) and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Boston Aid to the Blind, Inc., 295 Huntington Avenue, Boston, Mass., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for an evaluation

period of 40 hours and a training period of 80 hours, and 45 cents thereafter, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

New York Guild for the Jewish Blind, 1880 Broadway, New York 23, N. Y., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher. Certificate is effective March 11, 1953, and expires February 28, 1954.

Syracuse Association of Workers for the Blind, Inc., 425 James Street, Syracuse, N. Y., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 30 cents per hour, whichever is higher. Certificate is effective March 16, 1953, and expires February 28, 1954.

Pennsylvania Branch, Shut-In Society, 319 North Eleventh Street, Philadelphia, Pa., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and a training period of 120 hours, and 25 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

United Vocational & Employment Service, 931 Penn Avenue, Pittsburgh, Pa., at a wage rate of not less than the piece rate paid non-handicapped em-

ployees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 120 hours and a training period of 40 hours, and 25 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Pittsburgh Branch, Pennsylvania Association for the Blind, 308 Craig Street, Pittsburgh, Pa., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 20 cents an hour for an evaluation period of 80 hours and a training period of 120 hours, and 42½ cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Mississippi Industries for the Blind, 2501 North West Street, Jackson 6, Miss., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher. Certificate is effective January 10, 1953, and expires November 30, 1953.

Volunteers of America, 10-16 South St. Clair Street, Toledo 4, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for a training period of 40 hours, and 70 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Michigan Employment Institution for the Blind, 924 Houghton Avenue, Saginaw, Mich., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 15 cents per hour for an evaluation period of 40 hours and a training period of 160 hours, and 20 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Toledo Society for the Blind, 718 Michigan Street, Toledo 4, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 20 cents per hour for an evaluation period of 40 hours, and 35 cents thereafter, whichever is higher. Certificate is effective March 12, 1953, and expires February 28, 1954.

Volunteers of America, 290 North Main Street, Mansfield, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour for a training period of 40 hours and 40 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Volunteers of America, 1432 First Street, Detroit 26, Mich., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 20 cents per hour for a training period of 40 hours and 45 cents thereafter, whichever is higher. Certificate is effective March 16, 1953, and expires February 28, 1954.

Center for Sightless, Inc., 330 Third Street, Elyria, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 5 cents per hour for an evaluation period of 160 hours and 20 cents thereafter, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

Wabash Valley Goodwill Industries, Inc., 122-124 North Fifth Street, Terre Haute, Ind., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 160 hours, and 75 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Milwaukee Goodwill Industries, Inc., 2102 West Pierce Street, Milwaukee 46, Wis., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 45 cents per hour for an evaluation period of 160 hours and 50 cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Evansville Association for the Blind, 500 Second Street, Evansville, Ind., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for an evaluation period of 160 hours and 50 cents thereafter, whichever is higher. Certificate is effective March 23, 1953, and expires March 31, 1954.

St. Cloud Goodwill Industries, Inc., 21 Fifth Avenue South, St. Cloud, Minn., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

Dallas County Association for the Blind, 4306 Capitol Avenue, Dallas 4, Tex., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 60 cents thereafter, whichever is higher. Certificate

is effective March 1, 1953, and expires February 28, 1954.

Goodwill Industries of Fort Worth, Inc., 665 South Main Street, Fort Worth 4, Tex., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 50 cents thereafter, whichever is higher. Certificate is effective February 23, 1953, and expires January 31, 1954.

Lighthouse for the Blind of New Orleans, 820 Magazine Street, New Orleans 12, La., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 60 cents thereafter, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

San Mateo County Society for Crippled Children and Adults, Inc., P. O. Box 308, Burlingame, Calif., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 35 cents per hour for an evaluation and/or a training period of 160 hours, and 45 cents thereafter, whichever is higher. Certificate is effective March 2, 1953, and expires February 28, 1954.

Crippled Children's Society of Los Angeles County 325 West Adams Blvd., Los Angeles 7, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 5 cents per hour for an evaluation and/or a training period of 160 hours, and 15 cents thereafter, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

Oakland Center, California Industries for the Blind, 3601 Telegraph Avenue, Oakland 9, Calif., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour for an evaluation and/or a training period of 160 hours, 25 cents thereafter to residents and 50 cents to non-residents, whichever is higher. Certificate is effective February 1, 1953, and expires January 31, 1954.

Goodwill Industries of San Joaquin Valley, 730 East Market Street, Stockton 3, Calif., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 60 cents per hour, whichever is higher. Certificate is effective April 28, 1953, and expires April 15, 1954.

Chattanooga Goodwill Industries, Inc., 307 East Main Street, Chattanooga, Tenn., at a wage rate of not less than

the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for a training period of 160 hours, 45 cents thereafter in the textile repair section, and 50 cents thereafter to all other clients, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

Virginia Commission for the Blind, 508 St. James Street, Richmond, Va., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for a training period of 320 hours and 60 cents thereafter, whichever is higher. Certificate is effective March 27, 1953, and expires February 28, 1954.

Portland Goodwill Industries, Inc., 80-82 Union Street, Portland 3, Maine; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 40 hours and 60 cents thereafter, whichever is higher. Certificate is effective April 1, 1953, and expires March 31, 1954.

Association for the Help of Retarded Children, Inc., A. H. R. C. Training Center and Workshop, 724 Nostrand Avenue, Brooklyn 16, N. Y., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour, whichever is higher. Certificate is effective April 3, 1953, and expires September 30, 1953.

Philadelphia Branch, Pennsylvania Association for the Blind, 100 E. Price Street, Philadelphia, Pa., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 30 cents per hour for an evaluation period of 80 hours and a training period of 120 hours, and 50 cents thereafter. Certificate is effective April 1, 1953, and expires March 31, 1954.

Association of the Blind of South Carolina, 1501 Confederate Avenue, Columbia, S. C., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 80 hours and a training period of 960 hours, and 57½ cents thereafter, whichever is higher. Certificate is effective March 1, 1953, and expires February 28, 1954.

Washington Society for the Blind, 2324 F Street NW., Washington 7, D. C., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher.

Certificate is effective May 1, 1953, and expires April 30, 1954.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 15th day of April 1953.

JACOB I. BELLOW,  
Assistant Chief of Field Operations.

[F. R. Doc. 53-3585; Filed, Apr. 23, 1953; 8:45 a. m.]

## DEPARTMENT OF THE TREASURY

### Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1953, 83d Supp.]

NORTH RIVER INSURANCE CO., NEW YORK  
SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

APRIL 20, 1953.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the act of Congress approved July 30, 1947, 6 U. S. C. secs. 6-13, as an acceptable surety on Federal bonds. An underwriting limitation of \$2,798,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D. C.

NAME OF COMPANY, LOCATION OF PRINCIPAL EXECUTIVE OFFICE AND STATE IN WHICH INCORPORATED

NEW YORK

The North River Insurance Company, New York.

[SEAL] A. N. OVERBY,  
Acting Secretary of the Treasury.

[F. R. Doc. 53-3611; Filed, Apr. 23, 1953; 8:51 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

FELICIA FOGLIANO ET AL.

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

#### Claimant, Claim No., Property, and Location

Felicia Fogliano, Carmela Fogliano, Maria Fogliano, Vincenzo Busacca, Vincenza Busacca, Giuseppe Busacca, Eleonora Vanadla Busacca, Emilio Busacca, Maria Rosa Busacca (minor), all of Castell 'Umberto, Messina, Sicily, Italy; Claim No. 38462; Vesting Order No. 2465; \$3,160.44 in the Treasury of the United States and two United States Defense Bonds Series F, No. 12674 for \$10,000, and No. 112123 for \$1,000., both due March 1, 1954, and presently held in the Safekeeping Department of the Federal Reserve Bank of New York, 1/8 to Felicia Fogliano; 1/8 to Carmela Fogliano; 1/8 to Maria Fogliano; 1/8 to Vincenzo Busacca; 1/8 to Vincenza Busacca; 1/4 to Giuseppe Busacca; 1/16 to Emilio Busacca; 1/16 to Maria Rosa Busacca (minor); and a usufructuary interest of 1/3 of the distributive shares of Emilio Busacca and Maria Rosa Busacca (minor) to Eleonora Vanadla Busacca.

Executed at Washington, D. C., on April 16, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 53-3556; Filed, Apr. 22, 1953; 8:50 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ALASKA

#### SMALL TRACT CLASSIFICATION ORDER NO. 72

APRIL 15, 1953.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625) I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 603, 43 U. S. C. sec. 682a) as amended, the following described public lands in the Anchorage, Alaska, Land District:

#### PENNOCK ISLAND GROUP

U. S. Survey 2930: Lot 17A.  
U. S. Survey 2933: Lot 37.

Containing approximately 40.77 acres.

Subject to valid existing rights and the provisions of existing withdrawals, this order shall not become effective to permit the initiation of any rights or any disposition under the public land laws until it is so provided by an order to be issued by the Chief, Division of Land Planning, Bureau of Land Management,

Region VII, Anchorage, Alaska, opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 603, 43 U. S. C. sec. 682a) as amended, with a 91-day preference right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 279) as amended.

FRED J. WEILER,  
Chief,

Division of Land Planning.

[F. R. Doc. 53-3553; Filed, Apr. 23, 1953; 8:45 a. m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Interim Department Order 2]

### DIRECTOR OF ADMINISTRATION

DELEGATION OF AUTHORITY TO PERFORM FUNCTIONS OF OFFICE OF SECRETARY, UNDER SECRETARY, AND ASSISTANT SECRETARIES DURING ABSENCE, DISABILITY, OR VACANCY

Pursuant to the authority vested in me by section 6 of Reorganization Plan No. 1 of 1953: It is ordered, That:

During the absence, disability, or vacancy in the office of the Secretary, the Under Secretary, and both Assistant Secretaries, the Director of Administration shall perform all functions and exercise all authority of the Secretary.

Dated: April 20, 1953.

[SEAL] OVETA CULP HOBBY,  
Secretary.

[F. R. Doc. 53-3622; Filed, Apr. 23, 1953; 8:54 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6497]

MOUNTAIN STATES POWER CO.

### NOTICE OF APPLICATION

APRIL 21, 1953.

Take notice that an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Mountain States Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Idaho, Oregon, Montana and Wyoming, with its principal business office at Albany, Oregon, seeking an order authorizing the issuance not to exceed \$1,750,000, principal amount, of promissory notes under terms of a credit agreement proposed to be entered into with Continental-Illinois National Bank and Trust Company of Chicago, Illinois, and The Hanover Bank, New York. Said notes are to be issued during the period June 15, 1953, to December 1, 1953, to mature December 31, 1953, bearing interest at the rate of 3½ percent per annum; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 6th day of May 1953, file with the Federal Power Commission, Washington 25, D. C.,



a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-3596; Filed, Apr. 23, 1953;  
8:48 a. m.]

[Project No. 2127]

MONTANA POWER CO.

NOTICE OF APPLICATION FOR LICENSE

APRIL 20, 1953.

Public notice is hereby given that The Montana Power Company, of Butte, Montana, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for a license for constructed water-power Project No. 2127 (known as the Hauser Lake Hydroelectric Development) located on the Missouri River near Helena in Lewis and Clark County, Montana, completed and placed in operation in January 1907 with an installation of five units, and in 1914 one additional unit was installed—and consisting of a concrete gravity dam 732 feet long with maximum height of about 129 feet above bedrock with a spillway section with crest at elevation 3621 feet, surmounted with flashboards; a reservoir about 15.8 miles long with full pool elevation at 3635 feet and providing a usable storage of 67,800 acre-feet; a forebay with penstocks extending to the powerhouse; a powerhouse with five units each consisting of a 4,000-hp horizontal turbine connected to a 2,800-kw generator; and one unit with a 5,500-hp turbine connected to a 3,000-kw generator; two 69-kv transmission lines, each 12.27 miles long connecting the plant to the East Helena Switching Station; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 4th day of June 1953. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIE,  
Acting Secretary.

[F. R. Doc. 53-3597; Filed, Apr. 23, 1953;  
8:48 a. m.]

SECURITIES AND EXCHANGE  
COMMISSION

[File No. 54-191]

STANDARD GAS AND ELECTRIC CO. AND  
PHILADELPHIA CO.

ORDER RELEASING JURISDICTION WITH RE-  
SPECT TO EMPLOYMENT OF EXCHANGE  
AGENT

APRIL 20, 1953.

Standard Gas and Electric Company ("Standard"), a registered holding company, having filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act"), the Commission, by order dated March

13, 1953 (Holding Company Act Release No. 11765) having approved Step II of said plan, which proposes the retirement of Standard's \$4 Cumulative Preferred Stock through the distribution of common stock of a subsidiary company and said order having reserved jurisdiction with respect to the selection and employment by Standard of the Exchange Agent provided for in Step II,

Standard having filed an amendment stating that it has selected Chemical Bank & Trust Company as Exchange Agent under Step II;

It appearing from said amendment and the exhibits attached thereto that Standard received proposals from six banking institutions and accepted the proposal of Chemical Bank & Trust Company in the amount of \$1,900 plus expenses; it further appearing that competitive conditions were maintained in the selection of the Exchange Agent and that it is appropriate for the Commission to release jurisdiction heretofore reserved with respect to such matter:

It is ordered, That the jurisdiction heretofore reserved herein with respect to the selection and employment by Standard of the Exchange Agent provided for in said plan be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3589; Filed, Apr. 23, 1953;  
8:46 a. m.]

[File No. 70-3025]

COLUMBIA GAS SYSTEM, INC.

ORDER AUTHORIZING CASH CAPITAL CON-  
TRIBUTION BY PARENT COMPANY TO  
SUBSIDIARY

APRIL 20, 1953.

The Columbia Gas System, Inc. ("Columbia") a registered holding company, having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 of the rules and regulations promulgated thereunder with respect to the following transaction:

Columbia will make a cash capital contribution to the Manufacturers Light and Heat Company ("Manufacturers"), a subsidiary of Columbia, from time to time prior to July 1, 1953, not to exceed in the aggregate \$2,500,000. Columbia will increase its investment in the common stock of Manufacturers by \$2,499,979.21 and will charge \$20.79 (the amount of the contribution which is applicable to the minority interest) to operating expenses. Manufacturers will credit \$2,500,000 to its capital surplus.

It is represented that the above funds will be used by Manufacturers to finance in part its 1953 construction program involving expenditures estimated at approximately \$20,865,600.

Due notice having been given of the filing of the declaration and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated there-

under are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 53-3588; Filed, Apr. 23, 1953;  
8:46 a. m.]

[File No. 70-3027]

WISCONSIN PUBLIC SERVICE CORP.

ORDER PERMITTING SUBMISSION OF FIRST  
MORTGAGE BONDS AND SHARES OF PRE-  
ferred STOCK TO COMPETITIVE BIDDING

APRIL 20, 1953.

Wisconsin Public Service Corporation ("Wisconsin"), a public utility subsidiary of Standard Power and Light Corporation and Standard Gas and Electric Company, both registered holding companies, having filed an application and amendments thereto pursuant to section 6 (b) of the act and Rules U-23 and U-50 thereunder with respect to certain proposed transactions which are summarized as follows:

Wisconsin proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, (i) \$8,000,000 principal amount of First Mortgage Bonds — Percent Series due 1983, to be issued under and secured by Wisconsin's present indenture, dated as of January 1, 1941, as last supplemented on November 1, 1950, and as to be further supplemented by a Supplemental Indenture to be dated as of May 1, 1953, and (ii) 30,000 shares of its authorized but unissued preferred stock, \$100 par value. The interest rate and dividend rate for the bonds and preferred stock, respectively, and the price to be paid the company for said securities will be determined by competitive bidding, except that the invitation for bids for the bonds will specify that the price to the company shall be not less than 100 percent nor more than 102.75 percent of the principal amount; and the invitation for bids for the preferred stock will specify that the price to the company shall be not less than \$100 per share nor more than \$102.75 per share.

Wisconsin proposes to use the proceeds from the sale of these securities to repay without premium \$6,300,000 of short-term bank loans and the balance, estimated at approximately \$4,700,000, to provide funds for current construction expenditures which are estimated at \$10,500,000 for the year 1953.

The filing indicates that the issuance and sale of the proposed new bonds and preferred stock have been authorized by the Public Service Commission of Wisconsin, subject to receipt and approval of the terms and conditions to be deter-



mined by the bidding. The company requests that the Commission shorten the period provided by Rule U-50 for invitation of bids for the new bonds and preferred stock to six days.

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application within the period specified, or otherwise, and not having ordered a hearing thereon;

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application, as amended, be granted forthwith, and that the applicant's request to shorten the bidding period be granted;

The record having been completed as to the fees and expenses other than those for legal services and the Commission finding that the estimated fees and expenses set forth below are not unreasonable:

	Preferred stock	Bonds
Fee of the Public Service Commission of Wisconsin.....	\$3,000	\$3,000
Registration fee under the Securities Act of 1933.....	315	\$32
Federal stamp tax.....	3,300	8,800
Trustee's fee.....		4,000
Transfer agent and registrar fee.....	300	
Accountant's fee: Arthur Andersen & Co.....	625	1,675
Printing.....	4,000	11,000
Printing new bonds and stock certificates.....	625	2,940
Blue Sky expenses.....	500	160
Mortgage recording fees and abstractors' certifications.....		1,500
Miscellaneous expenses.....	835	2,453
Total.....	13,500	41,350

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that said application, as amended, be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the further conditions:

1. That the proposed issuance and sale of new bonds shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record herein and a further order shall have been entered with respect thereto in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

2. That the proposed issuance and sale of preferred stock shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record herein and a further order shall have been entered with respect thereto in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

*It is further ordered*, That the request of Wisconsin for authority to shorten

to six days the ten-day notice period for bids provided for by Rule U-50, be, and the same hereby is, granted.

*It is further ordered*, That jurisdiction be, and the same hereby is, released with respect to the aforementioned fees and expenses, provided they do not exceed the amounts specified herein.

*It is further ordered*, That jurisdiction be, and the same hereby is, reserved over fees and expenses for legal services in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-3590; Filed, Apr. 23, 1953;  
8:46 a. m.]

## SMALL DEFENSE PLANTS ADMINISTRATION

[S. D. P. A. Pool Request 10]

ADDITIONAL COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN OPERATIONS OF GENERAL TIRE PRODUCTION POOL, INC.

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the names of the following companies which have accepted the request to participate in the operations of the General Tire Production Pool, Inc., are herewith published. The original list of companies accepting such request was published on September 6, 1952, in 17 F. R. 8112.

Bedford Gear & Machine Products, Inc.,  
Erick Road, Bedford, Ohio.  
Cleveland Industrial Tool Co., Inc., 1029  
East 222d Street, Cleveland 17, Ohio.

(Sec. 708, 64 Stat. 818, Pub. Law 80, as amended by Pub. Law 429, 82d Cong.; 50 U. S. C. App. 2158; E. O. 10370, July 7, 1952, 17 F. R. 6141)

Dated: April 17, 1953.

RICHARD C. DYAS,  
Acting Administrator

[F. R. Doc. 53-3593; Filed, Apr. 23, 1953;  
8:47 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28010]

VARIOUS COMMODITIES FROM SOUTHERN TERRITORY TO SOUTHERN AND OFFICIAL TERRITORIES

APPLICATION FOR RELIEF

APRIL 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to tariffs listed in exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Various commodities.

From: Points in southern territory.  
To: Points in southern and official territories.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3601; Filed, Apr. 23, 1953;  
8:49 a. m.]

[4th Sec. Application 22011]

MERCHANDISE IN MIXED CARLOADS FROM CINCINNATI, OHIO, TO TAMPA AND MIAMI, FLA.

APPLICATION FOR RELIEF

APRIL 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Merchandise, in mixed carloads.

From: Cincinnati, Ohio.

To: Tampa and Miami, Fla.

Grounds for relief: Rail competition and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1305, Supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-3602; Filed, Apr. 23, 1953;  
8:49 a. m.]

[4th Sec. Application 28012]

MERCHANDISE IN MIXED CARLOADS FROM  
DETROIT, MICH., AND CLEVELAND, OHIO;  
TO POINTS IN GEORGIA

## APPLICATION FOR RELIEF

APRIL 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to schedule listed below.

Commodities involved: Merchandise, in mixed carloads.

From: Detroit, Mich., and Cleveland, Ohio.

To: Atlanta, Hopeville, East Point, and Fort McPherson, Ga.

Grounds for relief: Rail and motor competition and circuitous routes.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, I. C. C. No. 4552.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,  
*Acting Secretary.*

[F. R. Doc. 53-3603; Filed, Apr. 23, 1953;  
8:49 a. m.]

[4th Sec. Application 28013]

CLAY FROM GEORGIA AND NORTH CAROLINA  
TO POINTS IN NORTH CAROLINA, VIRGINIA,  
AND WEST VIRGINIA

## APPLICATION FOR RELIEF

APRIL 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1323.

Commodities involved: Clay, in carloads.

From: Specified points in Georgia and North Carolina.

To: Points in North Carolina, Virginia, and West Virginia.

Grounds for relief: Rail competition, circuitous routes, grouping, and to apply rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,  
*Acting Secretary.*

[F. R. Doc. 53-3604; Filed, Apr. 23, 1953;  
8:50 a. m.]

[4th Sec. Application 28014]

LIQUID CAUSTIC SODA FROM ALABAMA TO  
LOUISIANA

## APPLICATION FOR RELIEF

APRIL 21, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Liquid caustic soda, in tank-car loads.

From: Huntsville, Redstone Arsenal, Anniston, Lensanto, and McIntosh, Ala.

To: New Orleans, Chalmette, and Bogalusa, La.

Grounds for relief: Rail and market competition, also circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1295, Supp. 25.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,  
*Acting Secretary.*

[F. R. Doc. 53-3605; Filed, Apr. 23, 1953;  
8:50 a. m.]